# Town of York

186 York Street
York, Maine 03909-1314

Town Manager/ Selectmen (207)363-1000

Town Clerk/ Tax Collector (207)363-1003

Finance/ Treasurer (207)363-1004

Code Enforcement (207)363-1002

Planning (207)363-1007

Assessor (207)363-1005

Police Department (207)363-1031

Dispatch (207)363-2557

York Beach Fire Department (207)363-1014

York Village Fire Department (207)363-1015

Public Works (207)363-1011

Harbor Master (207)363-1000

Senior Center/ General Assistance (207)363-1036

Parks and Recreation (207)363-1040

Fax (207)363-1009 (207)363-1019

www.yorkmaine.org


## SELECTMEN'S MEETING
## 5:30/7:00 P.M. MONDAY MARCH 26, 2012
## YORK LIBRARY

**5:30PM: Joint Workshop: Friends of Cliff Path**

**Call to Order**

**Pledge of Allegiance**

**A. Minutes**
- February 27, 2012 Selectmen's Meeting Minutes
- February 29, 2012 Special Selectmen's Meeting Minutes
- March 7, 2012 Special Selectmen's Meeting Minutes

**B. Chairman's Report**

**C. Manager's Report**

**D. Awards**
- Award Bid for 2012 Parks and Recreation Summer Program Brochure

**E. Reports**

**F. Citizens Forum** - The citizen's forum is open to any member of the audience for comments on items listed on this meeting agenda. All comments should be respectful in tone and should be directed to the chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the town manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the town manager's office.

**G. Approval of Warrant #39**

**H. Public Hearings**
1. Sale of Town Owned Properties: 60 and 66 Vineyard Lane
2. New Business License: Phillip Stearns, Jr. DBA Shore Road Market (Victualers)
3. Ordinance Amendments: May 2012 Special General Referendum
   - Public Road Acceptance Ordinance Amendment
   - Emergency Management Ordinance Amendment
   - Fireworks Ordinance
   - Fires on Public Beaches
   - Control of Animal Noise
   - Commercial Bait House Standards
   - Outside Merchandise Display

- Parking in York Beach Village Center
- Setback Changes
- Home Occupations
- Refine Residential Use Definitions and Standards

4. May 2012 Special General Referendum Warrant
5. May 2012 Budget Referendum Warrant
6. May 2012 School Budget Validations Referendum Warrant

**I. Endorsements**

License Applications

- Daniel Muccio DBA York Golf & Tennis Club (Victualers, Liquor & Special Amusement)
- Paul Karoutas DBA York House of Pizza (Victualers)
- Benjamin J. Lawlor, G.M. DBA The York Reading Room (Victualers, Liquor & Special Amusement)
- Don & Erika Seydler DBA Long Sands General Store (Victualers)
- Philip Lusty DBA Dockside Guest Quarters & Restaurant (Victualers & Liquor)
- Jeremy Prescott DBA The Kettle Boys Popcorn Co. (Victualers)
- Long Sands General Store (Victualers)
- Tom Robinson DBA York Lobster & Seafood (Victualers & Liquor)
- Raymond Ramsey DBA Sun n Surf ((Victualers, Liquor and Special Amusement)
- James H. Williams/Longhorn Trading Co. DBA Wild Willy's Burgers (Victualers & Liquor)
- Phllip Stearns, Jr. DBA Shore Road Market (Victualers)

**J. Old Business**

1. Citizens Petition regarding York Street - Organug Road Traffic Signals - Selectman Fiorentino is requesting to give previous notice: "At the next meeting, I will make a motion to rescind the vote placing the citizen's petition on the May Referendum."

**K. New Business**

1. Approve York Beach MPI Grant Improvements
2. Move Ordinance Amendments to May 2012 Warrant
3. Approve Budget Referendum Warrants
4. Approve Special General Referendum Warrant
5. Approve School Budget Validation Referendum
6. Appoint Election Clerks
7. Special Event Permit Application: Aggieman Triathlon - June 30, 2012

**L. Other Business**

**M. Citizens Forum**

**Adjourn**

# SELECTMEN'S MEETING
# 6:00/7:00PM MONDAY, FEBRUARY 27, 2012
# YORK LIBRARY

**Present:** Chair; Tracy Jackson-McCarty, Vice Chair; Mary Andrews, Edward Little, Kinley Gregg, Scott Fiorentino, Town Manager; Robert G. Yandow, Recorder; Susan Scott, and members of the press and public.

**5:45PM: Executive Session: Personnel (Pursuant to M.R.S.A. Title 1, §405 (6) (A))**
Moved by Mr. Little, seconded by Ms. Gregg to enter into Executive Session: Personnel (Pursuant to MRSA Title 1, Section 405 (6) (A) at 5:50PM.

Moved by Ms. Gregg, seconded by Mr. Little to exit the Executive Session: Personnel (Pursuant to MRSA Title 1, Section 405 (6) (A) at 6:00PM.

**Call to Order**

**Pledge of Allegiance**

**6:00PM: Work Session with Christine Grimando, Town Planner**

1. Comprehensive Plan relative to Capital Investment Planning Process:
    - Eliminate redundancy with clearly outlined policy.
    - Scope to include long-term infrastructure needs for 20-25 years out.
    - Establish a process to update the Comprehensive Plan on a regular basis.
2. Green Enterprise Zoning:
    - Explore development incentives including transfer of development rights and land banks.
    - Infrastructure masterplan in coordination with the Sewer and Water districts.
3. Town wide Cluster Housing Proposal to be considered.

Chairman Jackson-McCarty requested the Selectmen review Plan Recommendations, and rank items 1-15 in order of immediacy and importance to further discuss at a joint workshop with the Planning Board.

**A. Minutes**

- January 17, 2012 Special Selectmen's Meeting Minutes: Moved by Ms. Andrews, seconded by Mr. Little to approve the January 17, 2012 Special Selectmen's Meeting Minutes as amended. Vote 5-0, motion passes.

- February 13, 2012 Selectmen's Meeting Minutes: Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve the February 13, 2012 Selectmen's Meeting Minutes as amended. Vote 5-0, with, motion passes.

**B. Chairman's Report**

Chairman Jackson-McCarty wished Arthur Miner a belated Happy Birthday.

**C. Manager's Report**

Town Manager, Robert G. Yandow, announced that Town Hall will be lit in blue light as March is colorectal cancer awareness month. The Cape Neddick River Water Quality Restoration Plan will conduct a Stakeholder meeting on March 7th at 7:00pm at Village Elementary School Gymnasium.

**D. Awards**

**E. Reports**

**F. Citizens Forum** - The citizen's forum is open to any member of the audience for comments on items listed on this meeting agenda. All comments should be respectful in tone and should be directed to the chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the town manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the town manager's office.

Public Comment: None.

**G. Approval of Warrant #35**

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve Warrant #35, without objection, so ordered.

**H. Public Hearings**

- **NEW BUSINESS LICENSE:** Global Montello Group Corp. DBA Mr. Mike's (Victualers and Liquor)

  Moved by Ms. Andrews, seconded by Mr. Little to open the public hearing at 7:13pm, motion passes.

Public Comment: None.

Moved by Ms. Andrews, seconded by Mr. Fiorentino to close the public hearing at 7:13pm, motion passes.

- **NEW BUSINESS LICENSE:** Matthew Glode DBA Seacoast United Sports Club (Victualers)

Moved by Ms. Andrews, seconded by Mr. Little to open the public hearing at 7:13pm, motion passes.

Public Comment: None.

Moved by Ms. Andrews, seconded by Mr. Little to close the public hearing at 7:14pm, motion passes.

- **ORDINANCE AMENDMENTS:** May 2012 Special General Referendum.
Moved by Ms. Andrews, seconded by Mr. Little to open the public hearing at 7:15pm, motion passes.

Public Comment: Walter Woods
Jack MacDonald
Brenda Elwell-Taylor
Joe Lipton (Per Chairman McCarty-Jackson)
Diana Flynn (Per by Steve Burns)

Moved by Ms. Andrews, seconded by Mr. Little to close the public hearing at 7:50pm, motion passes.

**I. Endorsements**

**License Applications**

- Global Montello Group Corp. DBA Mr. Mike's (Victualers and Liquor)
- Stage Neck Inn, Inc. DBA Stage Neck Inn (Victualers, Liquor and Special Amusement)
- Kenneth Heavner DBA Cape Neddick Inn (Victualers, Liquor and Special Amusement)
- Mac's Convenience Stores, LLC DBA Circle K#7049 (Victualers and Liquor)
- Matthew Glode DBA Seacoast United Sports Club (Victualers)

Moved by Mr. Little, seconded by Ms. Gregg to approve the following license applications: Global Montello Group Corp. DBA Mr. Mike's (Victualers), Stage Neck Inn, Inc. DBA Stage Neck Inn (Victualers and Liquor), Kenneth Heavner

DBA Cape Neddick Inn (Victualers, Liquor and Special Amusement), Mac's Convenience Stores, LLC DBA Circle K#7049 (Victualers) and Matthew Glode DBA Seacoast United Sports Club (Victualers) subject to taxes, fees and inspection being current and compliant with the usual noise stipulation. Vote 5-0, motion passes.

## J. Old Business

## K. New Business

1. **Move Ordinance Amendments to Second Public Hearing.**
   Steve Burns, Director of Community Development, confirmed that Amendment #3 prohibits the sale and use of consumer fireworks, and that there is no grandfathering of the sale or use of consumer fireworks since it is a Public Health and Safety Ordinance.

   Moved by Ms. Andrews, seconded by Mr. Little to move forward the draft ordinance amendments, as amended, to a second public hearing to be held at 7:00pm on March 26, 2012 at York Public Hearing. Vote 5-0, motion passes.

2. **MDOT Overweight Permit Request for Route 1 Project.**
   The over limit request is standard practice during times when the Maine Department of Transportation has a construction project within town limits as the weight of construction equipment may exceed road weight limits. There should be no impact to the town.

   Moved by Ms. Andrews, seconded by Mr. Little to approve a construction over limit permit to the contractor selected by the Maine Department of Transportation for the Route 1 overlay paving project. Vote 5-0, motion passes.

3. **MDOT Overweight Permit Request for Sewall's Bridge Project.**
   Moved by Ms. Andrews, seconded by Ms. Gregg to approve a construction over limit permit to the contractor selected by the Maine Department of Transportation for the Sewall's Bridge Rehabilitation project. Vote 5-0, motion passes.

4. **Set Fee for Recycling Containers (Blue Bins)**
   Moved by Ms. Andrews, seconded by Mr. Little to approve a price increase for the sale of blue recycling bins from $7.50 to $8.50 based on an increase in the cost to the town of York with the price increase taking effect July 1, 2012. Vote 5-0, motion passes.

5. **Appointment of Assistant Code Enforcement Officer**
Steve Burns, Director of Community Development, requests to fill a position left vacant by cross-training Leslie Hinz who is the Department Administrative Assistant and Alternate Local Plumbing Inspector. From the time of appointment, Ms. Hinz will have one year to obtain her State certifications in Shoreland and Land Use.

Moved by Ms. Andrews, seconded by Mr. Little to appoint Leslie Hinz as an Assistant Code Enforcement Officer/Land Use Officer and Shoreland Zoning Officer. Vote 5-0, motion passes.

6. **Property Redemption Request: 9 Raccoon Ridge (Tax Map 2, Lot 29-A)**
Moved by Ms. Andrews, seconded by Mr. Little to approve the redemption of Tax Map 0002, Lot 0029-A, 9 Raccoon Ridge, as requested, subject to the attached conditions being met, and that all taxes, interest and administrative costs are paid in full by no later than August 13, 2012. Vote 5-0, motion passes.

7. **Property Redemption Request: 28 Prospect Street (Tax Map 25, Lot 52)**
Moved by Ms. Andrews, seconded by Mr. Little to approve the redemption of Tax Map 25, Lot 52, 28 Prospect Street, as requested, subject to the attached conditions being met, and that all taxes, interest and administrative costs are paid in full by no later than May 27, 2012. Vote 5-0, motion passes.

8. **Special Event Permit Application: 2012 Spring Ride for Troops, 5th Annual - April 29, 2012**
Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application for the 2012 Spring Ride for Troops that will be held on Sunday, April 29, 2012 from approximately 7:30am to 11:15am. Vote 5-0, motion passes.

9. **Special Event Permit Application: Seacoast Safari (2-day Bicycle Tour) - July 14th & 15th, 2012**
Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application with stated Conditions for the Seacoast Safari that will be held on Saturday, July 14th and 15th, 2012. Vote 5-0, motion passes.

10. **Special Event Permit Application: Art in the Park - September 15, 2012**
Moved by Ms. Andrews, seconded by Mr. Little to approve the special event permit application for Art in the Park that will be held September 15, 2012 from approximately 9:00am to 4:00pm. Vote 5-0, motion passes.

L. <u>Other Business</u>

- Mr. Fiorentino discussed possibility of going paperless due to the large Selectmen agenda packets and related material. Other members expressed similar interest.

**M. Citizens Forum**

Public Comment: Howard Koeppel
Jack Johnson, Citizens' Petition Committee Spokesperson

**Adjourn**

Moved by Ms. Andrews, seconded by Mr. Fiorentino to adjourn at 10:42pm.

Respectfully Submitted By:

Susan H. Scott

Susan H. Scott; Recorder

# SPECIAL SELECTMEN'S MEETING
# JOINT WORKSHOP with CHARTER COMMISSION
# 5:00PM WEDNESDAY, FEBRUARY 29, 2012
# YORK LIBRARY

**Present**

**Board of Selectmen:** Chair; Tracy Jackson-McCarty, Vice Chair; Mary Andrews, Edward Little, Kinley Gregg, and Scott Fiorentino.

**Charter Commission:** Chair; Dave Marshall, Torbert MacDonald, Wendy Starkey, Peter Smith, Todd Frederick, Richard Bilden, Leon Moulton and Al Cotton,

**Staff:** Town Manager; Robert G. Yandow, Recorder; and Susan Scott.

**Media/Public**: Susan Morse (York Weekly) and Helen Rollins.

**Workshop: Proposed Home Rule Charter**

Charter Commission Chairman, Dave Marshall, provided an overview of the Charter review process, and the preliminary report originally provided to the Selectmen on February 13, 2012. The Selectmen posed the following questions and comments: (Clarification provided by the Charter Commission noted in ***bold italics*** following individual questions)

Questions/Comments

- Difficulty in reviewing the revised Charter document without the original document denoting changes and/or strike-outs. ***Revised Charter document completely restructured making it impossible to have a side-by-side "track changes" document illustrating edits through strike-out notations. Charter Commission has prepared a document outlining where changes were made to assist with review.***
- Defeated Operational Budget Items/Town Meeting Referendum process. ***Budget of defeated item to be set at 85% of the approved budget from previous fiscal year, and will go to a Special Budget Referendum vote with costs to be covered by the Selectmen's contingency account.***
- Selectmen's Contingency Account: Monies to be used solely for true emergencies, and not for a referendum vote.

- Section 2.8(c)(d). ***Applies only to upcoming year within the Capital Improvements Plan, and not all five years.***
- Section 2.10. ***Capital Planning Committee to be memorialized in the Charter with Public Hearings to be scheduled.***
- Budget Review Process lengthened adding additional meetings and weeks to review process.
- Section 2.12. ***Alternate State Statute for Proposal of School Budget allows for school budget to fall under the Charter should the Town vote not to follow State consolidation law.***
- Section 3.7. Authority and Duties prescribed to Selectmen to "oversee" CEO and Town Attorney among other positions may be in conflict with State statute. ***Charter Commission to research.***
- Section 6.6. Treasurer. Meet with Treasurer four times a year with regular reports. ***Intent of this section is to maintain communication between Selectmen and Budget Committee.***
- Erosion of Budget Committee authority, Town Manager oversight, and allows for individual Selectmen to act singularly apart from the Board.
- Conflict of Interest: Charter lacking language prohibiting a spouse of a Town employee serving on the Budget Committee. ***Language to be added.***
- Charter document as a whole requires cross referencing of dates and timelines for all procedures.
- Budget Committee and Finance Directors' process input desired.
- Current Charter to be available for comparative purposes with revised Charter.

**Adjourn**

Meeting adjourned at 7:15pm.

Respectfully Submitted By:

Susan H. Scott

Susan H. Scott; Recorder

# SPECIAL SELECTMEN'S MEETING
# 8:30AM WEDNESDAY, MARCH 7, 2012
# YORK LIBRARY

**Present:** Vice Chair; Mary Andrews, Edward Little, Kinley Gregg, Scott Fiorentino, Town Manager; Robert G. Yandow, Recorder; and Susan Scott.

**Call to Order**

**Work Session: Special Event Permits**

The Board of Selectmen and the Town Manager discussed the Special Event Permit process that has been in place for approximately 4 years. Currently, all town departments review and sign off on an application, with our without conditions, prior to final Selectmen approval. This process allows the Town to be aware of upcoming activities, and allow opportunity to mitigate against potential problems. No fees are associated with the application. As neighboring towns have proved cost prohibitive to event organizers, the Town of York has seen an increase in the number special events. The Town may wish to consider establishing fees including a potential filing/permit fee, a service fee and a parking usage fee. Reasons include:

- Administrative costs related to processing event permits;
- Costly public safety services including personnel and equipment to be on site at the event dependent on:
  - Obstruction of motor vehicle or pedestrian traffic; and
  - Nature of event including beach fires, polar plunges and other athletic events requiring standby fire, police and ambulance services.
- Parking meters not available for the general public with potential lost revenue for meters that run May 15 - October 15.

Further considerations include:

- Established fee schedule to be posted in advance for all potential applicant consideration;
- Established guidelines for potential permit denials;
- Fire personnel comprised of volunteer residents who dedicate their time for the community;
- Remaining mindful that these non-profit events bring in welcomed and additional revenue to the Town;

- Include ambulance services as a separate and distinct sign off in conjunction with town department sign offs;
- Consistent permit and fee policy for all involved.

Town Manager Yandow will research similar permit processing procedures in neighboring towns possibly including Ogunquit, Kennebunk, Wells and Hampton, NH. Selectmen are interested in knowing if current entry fees for our local road races somehow off-set police or town services. Mr. Yandow to review the current police and fire fee schedules.

**Executive Session: Real Estate (Pursuant to M.R.S.A. Title 1, §405 (6) (C))**
Moved by Mr. Fiorentino, seconded by Mr. Little to enter into Executive Session: Real Estate (Pursuant to MRSA Title 1, Section 405 (6) (C) at 9:15AM.

Moved by Ms. Gregg, seconded by Ms. Andrews to exit the Executive Session: Real Estate (Pursuant to MRSA Title 1, Section 405 (6) (C) at 9:45AM.

Respectfully Submitted By:
Susan H. Scott
Susan H. Scott; Recorder

AGENDA ITEM NUMBER: ____

# REQUEST FOR ACTION BY BOARD OF SELECTMEN

| | |
|---|---|
| **Date Submitted:** March 22, 2012 | **Type of Action:** |
| **Date Action Requested:** March 26, 2012 | ☐ **Procedural** ☒ **Formal Action** |
| **Regular** _X_ **Work Session** | ☐ **Other:** _____ |

**Subject:** Bid For 2012 Parks and Recreation Summer Brochure

**TO:** Board of Selectmen

**FROM:** Robert G. Yandow, Town Manager

**RECOMMENDATION:** Award Bid to Graphic Image

**PROPOSED MOTION: I move to award the bid for the 2012 Parks and Recreation Summer Brochure to Graphic Image in an amount not to exceed $6,255 for 48 pages or $7,055 for 60 pages.**

**Discussion:** Annually, the Parks and Recreation Department solicits bids for the printing of the summer brochure. At the time that bids are solicited it is unknown as to the total number of pages necessary so bids are solicited for either 48 pages or 60 pages. For printing of the 2012 brochure a total of four bids were received. The result of the bid process is as follows:

| | 48 Pages | 60 Pages | Sorting |
|---|---|---|---|
| Graphic Image | $5880 | $6680 | $375 |
| Creative Imaging | $7399 | $9299 | $425 |
| Alliance Press | $9575 | $10,186 | $476 |
| Ben Franklin Printers | $10,658.12 | $12,565.80 | $496 |

The recommended award amount to Graphic Image includes the printing price and the price to sort the brochures for mailing.

**FISCAL IMPACT:**

| |
|---|
| **DEPARTMENT LINE ITEM ACCOUNT:** |
| **BALANCE IN LINE ITEM IF APPROVED:** |

Prepared By: Michael Sullivan

Reviewed By: Robert B. Yandow

# Town of York

186 York Street
York, Maine 03909-1314

Town Manager/
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Harbor Master
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Senior Center/
General Assistance
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Parks and
Recreation
(207)363-1040

Fax
(207)363-1009
(207)363-1019

www.yorkmaine.org

**To:** Rob Yandow, Town Manager

**From:** Mike Sullivan, Parks and Recreation Director

**Subject:** Bid Award, Parks and Recreation Summer Brochure

**Date:** March 16, 2012

The Parks and Recreation Department received four bids for the 2012 summer brochure;

| | | |
|---|---|---|
| Graphic Image, Inc.<br>561 Boston Post Road<br>Milford, CT 06460 | $5,880 (48 pages)<br>$6,680 (60 Pages) | $375 (sort & tray) |
| Creative Imaging Group<br>64 Mussey Road<br>Scarborough, Me. 04074 | $7,399 (48 pages)<br>$9,299 (60 pages) | $425 (sort & tray) |
| Alliance Press<br>P.O. Box 10<br>3 Business Parkway<br>Brunswick, Me. 04011 | $9,575 (48 pages)<br>$10,186 (60 pages) | $476 (sort & tray) |
| Ben Franklin Printers<br>39 Londonderry Turnpike<br>Hooksett, NH 03106-1818 | $10,658.12 (48 pages)<br>$12,565.88 (60 pages) | $496 (sort & tray) |

I recommend the Board of Selectmen award the bid to Graphic Image, Inc. of Milford NH in the amount of $6,255 for 48 pages or $7,055 for 60 pages depending on the final determination of the number of pages.

# QUOTATION FORM

**Town of York, Maine**
**Parks and Recreation**
**2012 Summer Brochure**

**Name of company submitting proposal:** Graphic Image, Inc.

**Address:** 561 Boston Post Rd
Milford CT 06460

**Telephone:** 203-877-8787

**Name of company representative authorized to submit proposal:**

**Title:** President

**Signature:** LEigh Dunenberg

**Total Bid Amount per specifications:**

**48 pages plus cover** $ 5,880.
**(Price in numerals)**

**60 pages plus cover** 6,680.
**(Price in numerals)**

Prices are for 8X8 12-page sig on our press

**48 pages plus cover:** $ Five thousand six hundred eighty
**(Price in words)**

**60 pages plus cover:** $ Six thousand six hundred eighty
**(Price in words)**

**Quote for Sort and tray for bulk mail from a supplied list:**

$ 375.
**(Price in numerals)**

# QUOTATION FORM

**Town of York, Maine**
**Parks and Recreation**
**2012 Summer Brochure**

**Name of company submitting proposal:** Creative Imaging Group

**Address:** 64 Massey Road
Scarborough, ME 04074

**Telephone:** 207-883-2999

**Name of company representative authorized to submit proposal:**

**Title:** Account Manager

**Signature:** Ed Harding — Ed Harding

**Total Bid Amount per specifications:**
**48 pages plus cover** $ 7,399.00
**(Price in numerals)**

**60 pages plus cover** 9,299.00
**(Price in numerals)**

**48 pages plus cover:** $ Seven Thousand three hundred ninty nine — 00/100
**(Price in words)**

**60 pages plus cover:** $ Nine Thousand two hundred ninty nine — 00/100
**(Price in words)**

**Quote for Sort and tray for bulk mail from a supplied list:** $ 425.00 For 27,600 piece
**(Price in numerals)**

* Postage C .54 - .7 cents per-piece *

— Postage cost is due at time of mailing —

# QUOTATION FORM

**Town of York, Maine**
**Parks and Recreation**
**2012 Summer Brochure**

**Name of company submitting proposal:** Alliance Press

**Address:** P.O. Box 10
Brunswick, ME 04011

**Telephone:** 207 504 8298

**Name of company representative authorized to submit proposal:**

**Title:** Production Manager

**Signature:**

**Total Bid Amount per specifications:**
**48 pages plus cover** $ 9,575
**(Price in numerals)**

**60 pages plus cover** 10,186
**(Price in numerals)**

**48 pages plus cover:** $ Nine Thousand Five Hundred Seventy Five
**(Price in words)**

**60 pages plus cover:** $ Ten Thousand One Hundred eighty six
**(Price in words)**

**Quote for Sort and tray for bulk mail from a supplied list:** $ $176 + $300 (Delivery To P.O.)
**(Price in numerals)**

# QUOTATION FORM

**Town of York, Maine**
**Parks and Recreation**
**2012 Summer Brochure**

**Name of company submitting proposal:** BEN FRANKLIN PRINTERS

**Address:** 39 Londonderry Turnpike
~~Hooksett, NH 03106-2013~~
(603) 627-1818

**Telephone:** _____

**Name of company representative authorized to submit proposal:**

**Title:** President

**Signature:** Mark Lussier

**Total Bid Amount per specifications:**
**48 pages plus cover** $ 10,658.12
**(Price in numerals)**

**60 pages plus cover** $ 12,565.88
**(Price in numerals)**

**48 pages plus cover:** $ TEN THOUSAND SIX HUNDRED & FIFTY EIGHT DOLLARS & twelve cent
**(Price in words)**

**60 pages plus cover:** $ Twelve thousand FIVE HUNDRED & SIXTY FIVE DOLLARS & Eighty eight cent
**(Price in words)**

**Quote for Sort and tray for bulk mail from a supplied list:** $ 496.00
**(Price in numerals)**

Turn time is 7-10 days after proof is approved.

AGENDA ITEM NUMBER: ____

# REQUEST FOR ACTION BY BOARD OF SELECTMEN

| | |
|---|---|
| **Date Submitted:** March 22, 2012 | **Type of Action:** |
| **Date Action Requested:** March 26, 2012 | ☐ **Procedural** ☒ **Formal Action** |
| **Regular** _X_ **Work Session** | ☐ **Other:** _____ |
| **Subject:** Public Hearing for the Sale of 60 and 66 Vineyard lane | |

**TO:** Board of Selectmen

**FROM:** Robert G. Yandow, Town Manager

**RECOMMENDATION:**

**PROPOSED MOTION:**

**Discussion:** The Board of Selectmen previously approved an agreement with the Gosselin Group to list and market ten town owned properties for sale. Lots 60 and 66 Vineyard Lane are two of the ten properties. Prior to the sale of any properties a public hearing must be conducted.

**FISCAL IMPACT:**

**DEPARTMENT LINE ITEM ACCOUNT:**

**BALANCE IN LINE ITEM IF APPROVED:**

Prepared By: Robert G. Yandow Reviewed By: _____

AGENDA ITEM NUMBER: ____

# REQUEST FOR ACTION BY BOARD OF SELECTMEN

| | |
|---|---|
| **Date Submitted:** March 23, 2012 | **Type of Action:** |
| **Date Action Requested:** March 26, 2012 | ☐ **Procedural** ☒ **Formal Action** |
| **Regular** X **Work Session** | ☐ **Other:** _____ |

**Subject:** Business License Applications (10): York Golf & Tennis Club, York House of Pizza, The York Reading Room, Long Sands General Store, Dockside Guest Quarters & Restaurant, The Kettle Boys, York Lobster and Seafood, Sun N Surf, Wild Willy's Burgers, and Shore Road Market and Deli.

**TO:** BOARD OF SELECTMEN

**FROM:** Susan Scott

**RECOMMENDATION:** Approve Business License Applications (10)

**PROPOSED MOTION:**
*I move to approve the following licenses:*

1. Daniel Muccio DBA York Golf & Tennis Club (Victualers, Liquor & Special Amusement)
2. Paul Karoutas DBA York House of Pizza (Victualers)
3. Benjamin J. Lawlor, G.M. DBA The York Reading Room (Victualers, Liquor & Special Amusement)
4. Don & Erika Seydler DBA Long Sands General Store (Victualers)
5. Philip Lusty DBA Dockside Guest Quarters & Restaurant (Victualers & Liquor)
6. Jeremy Prescott DBA The Kettle Boys Popcorn Co. (Victualers)
7. Tom Robinson DBA York Lobster & Seafood (Victualers & Liquor)
8. Raymond Ramsey DBA Sun n Surf ((Victualers, Liquor and Special Amusement)
9. James H. Williams/Longhorn Trading Co. DBA Wild Willy's Burgers (Victualers & Liquor)
10. Phllip Stearns, Jr. DBA Shore Road Market (Victualers)

*...subject to taxes, fees and inspection being current and compliant with the usual noise stipulations.*

**Discussion:** Please see attached application for details.

**FISCAL IMPACT:**

**DEPARTMENT LINE ITEM ACCOUNT:**

**BALANCE IN LINE ITEM IF APPROVED:**

Prepared By: Susan H. Scott Reviewed By: Robert B. Gardner

Town Manager/
Selectmen
(207)363-1000

Town Clerk/
Tax Collector
(207)363-1003

Finance/
Treasurer
(207)363-1004

Code Enforcement
(207)363-1002

Planning
(207)363-1007

Assessor
(207)363-1005

Police Department
(207)363-1031

Dispatch
(207)363-2557

York Beach Fire
Department
(207)363-1014

York Village Fire
Department
(207)363-1015

Public Works
(207)363-1011

Harbor Master
(207)363-1000

Senior Center/
General Assistance
(207)363-1036

Parks and
Recreation
(207)363-1040

Fax
(207)363-1009
(207)363-1019

www.yorkmaine.org

# Town of York

186 York Street
York, Maine 03909-1314

**TO:** Board of Selectmen

**FROM:** Kathryn Newell
Code Enforcement Officer

**DATE:** March 22, 2012

**RE: LICENSE INSPECTIONS AND RECOMMENDATIONS**

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Based on my review, I recommend the following position on the Licenses to be heard on March 26, 2012.

## ENDORSEMENTS

Daniel Muccio
**DBA: York Golf & Tennis Club** **MAP 61 LOT 17**
Victualer/Liquor/Special Amusement

Daniel Muccio
62 Organug Road
York, ME 03909

| | |
|---|---|
| **FACILITY** | Restaurant/120 Seats |
| **ZONE** | RES-1B |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

Paul Karoutas
**DBA: York House of Pizza** **MAP 50 LOT 117**
Victualer

Paul Karoutas
274 York Street
York, ME 03909

| | |
|---|---|
| **FACILITY** | Restaurant/60 Seats |
| **ZONE** | GEN-3 |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

York Harbor Reading Room
**DBA: York Harbor Reading Room** **MAP 58 LOT 9**
Victualer/Liquor/Special Amusement

York Harbor Reading Room
P. O. Box 66
York Harbor, ME 03911

| | |
|---|---|
| **FACILITY** | Private Social Club/Function Hall/ 125 Seats |
| **ZONE** | RES-4 |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

Don & Erika Seydler
**DBA: Long Sands General Store** **MAP 20 LOT 20**
Victualer

Don & Erika Seydler
P. O. Box 809
York Beach, ME 03910

| | |
|---|---|
| **FACILITY** | Restaurant/3 Seats |
| **ZONE** | RES-7 |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

Philip Lusty
**DBA: Dockside Guest Quarters & Restaurant** **MAP 63 LOT 2**
Victualer/Liquor/Bed & Breakfast

Philip Lusty
22 Harris Island Road
York, ME 03909

| | |
|---|---|
| **FACILITY** | Restaurant/85 Seats/25 Rooms |
| **ZONE** | RES-1A |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

Jeremy Prescott
**DBA: The Kettle Boys Popcorn Co.** **MAP 23 LOT 3-1**
Victualer

Jeremy Prescott
P. O. Box 1962
York Beach, ME 03910

| | |
|---|---|
| **FACILITY** | Popcorn |
| **ZONE** | YBVC |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

Thomas Robinson
**DBA: York Lobster & Seafood** **MAP 94 LOT 69-B**
Victualer/Liquor

Thomas Robinson
22 Stonington Place
Kennebunk, ME 04032

| | |
|---|---|
| **FACILITY** | Restaurant/Take-out/ 8-12 Seats |
| **ZONE** | Rt. 1-2 |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

Raymond Ramsey
**DBA: Sun N Surf** **MAP 36 LOT 97**
Victualer/Liquor/Special Amusement

Raymond Ramsey
P. O. Box 1329
York Beach, ME 03910

| | |
|---|---|
| **FACILITY** | Restaurant/150 Seats Inside/ 150 Outside |
| **ZONE** | RES-7 |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

James H. Williams
**DBA: Wild Willy's Burgers** **MAP 94 LOT 13-A**
Victualer/Liquor

James H. Williams
90 Mill Lane
York, ME 03909

| | |
|---|---|
| **FACILITY** | Restaurant/50 Seats |
| **ZONE** | Rt. 1-2 |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

Phillip Stearns, Sr
**DBA: Shore Road Market/Deli & Restaurant** **MAP 20 LOT 20**
Victualer

Phillip Stearns, Sr
17 Nicole Road
York, ME 03909

| | |
|---|---|
| **FACILITY** | Market/Deli/Restaurant/22 Seats |
| **ZONE** | RES-6 |
| **USE** | Conforming, Existing |
| **RECOMMENDATION** | Approval |

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

Business Name: York Golf & Tennis Club
Business Location: 62 Organug Rd, York ME 03909
Telephone Number: 207-363-0130

OWNER'S Name and Mailing Address: York Golf & Tennis Club, 62 Organug Rd, York ME 03909

APPLICANT'S Name and Mailing Address: Daniel Muccio, ~~Same as above~~, 62 Organug Rd, York ME 03909

Is applicant same operator as prior year? ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | | |
| Building Structural | ✓ 3/9/12 | |
| Electrical | | |
| Plumbing | | |
| Fire | ✓ 2/2/12 | Email |
| Tax Collector | ✓ 3/21/12 | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

MAP/LOT: 61/17 RES-1B SS
License Year: 2012
No. Of Seats: 125
No. Of Parking Spaces: 120

New License (One Time $30 Fee): YES (NO)

License Renewal: (YES) NO

Bed and Breakfast License: # of Rooms_____

Hotel/Motel with Cooking Facilities: # of Rooms_____

Is Your Establishment Closed for More Then 120 Consecutive Days? (YES) NO

**REQUESTING THE FOLLOWING LICENSES:**

✓ $25.00 Victualers
✓ $25.00 Liquor
✓ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): _____

___ Bed and Breakfast ($10 Per Room): Total_____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO ✓

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

1/31/12 — Date
D Muccio — Applicant's Signature

**Please Read and Initial the Following Statements:**

DM I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
DM I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
DM I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
DM I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
DM I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature _____ Business Manager Signature (If Applicable) D Muccio

Date _____ Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $125 - RECEIPT NO. CK: 14443 RECEIPT DATE 2/1/12 SS MI PM MM MS 2/1/12
Code & Clerk ✓
CEO ✓

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

Business Name: York Golf & Tennis Club
Business Location: 62 Organug Rd
York ME 03909
Telephone Number: 207-363-0130

OWNER'S Name and Mailing Address: York Golf & Tennis Club
62 Organug Rd
York ME 03909

APPLICANT'S Name and Mailing Address: Daniel Muccio
~~Same as above~~
62 Organug Rd
York ME 03909

Is applicant same operator as prior year? ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | 9 MAR 2012 | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | | |
| Tax Collector | | |

APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: 61/17 RES-1B SS
License Year: 2012
No. Of Seats: 125
No. Of Parking Spaces: 120

New License (One Time $30 Fee): YES (NO)

License Renewal: (YES) NO

Bed and Breakfast License: # of Rooms_____

Hotel/Motel with Cooking Facilities: # of Rooms_____

Is Your Establishment Closed for More Then 120 Consecutive Days? (YES) NO

REQUESTING THE FOLLOWING LICENSES:
✓ $25.00 Victualers
✓ $25.00 Liquor
✓ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):
_____

___ Bed and Breakfast ($10 Per Room): Total_____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO ✓

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

1/31/12
Date

D Muccio
Applicant's Signature

**Please Read and Initial the Following Statements:**

DM I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
DM I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
DM I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
DM I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
DM I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature _____ Business Manager Signature (If Applicable) D Muccio

Date _____ Town Manager for the Board of Selectmen _____

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $125 - RECEIPT NO. CK: 14443 RECEIPT DATE 2/1/12 SS MI PM MM MS

# Department of Public Safety
# Liquor Licensing & Inspection Division

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

| BUREAU USE ONLY |
|---|
| License No. Assigned: |
| Class: |
| Deposit Date: |
| Amt. Deposited: |

**PRESENT LICENSE EXPIRES** _____

**INDICATE TYPE OF PRIVILEGE:** ☑ MALT ☑ SPIRITUOUS ☑ VINOUS

**INDICATE TYPE OF LICENSE:**

- ☐ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTINONAL FOOD (Class I-A)
- ☐ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)
- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☐ CLUB-ON PREMISE CATERING (Class I)
- ☒ GOLF CLUB (Class I,II,III,IV)
- ☐ OTHER: _____

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

| | |
|---|---|
| **1. APPLICANT(S)** -(Sole Proprietor, Corporation, Limited Liability Co., etc.) **DOB:** | **2. Business Name (D/B/A)** York Golf & Tennis Club |
| **DOB:** | |
| **DOB:** | **Location (Street Address)** 62 Organug Rd |
| **Address** | **City/Town** York **State** ME **Zip Code** 03909 |
| | **Mailing Address** |
| **City/Town** **State** **Zip Code** | **City/Town** **State** **Zip Code** |
| **Telephone Number** **Fax Number** | **Business Telephone Number** 207-363-0130 **Fax Number** 207-363-0132 |
| **Federal I.D. #** | **Seller Certificate #** 133631 |

3. If premises is a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $ 159,801 LIQUOR $ 79,825
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐
7. If manager is to be employed, give name: Daniel Muccio
8. If business is NEW or under new ownership, indicate starting date: _____

   Requested inspection date: _____ Business hours: _____
9. Business records are located at: Club House Business Office
10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ✓ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

| Name in Full (Print Clearly) | DOB | Place of Birth |
|---|---|---|
| Daniel Muccio | 5/20/60 | Huntington N.Y. |
| | | |
| | | |

Residence address on all of the above for previous 5 years (Limit answer to city & state

585 Cidermill Rd York ME 03909

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES ✓ NO ☐

Name: Daniel Muccio Date of Conviction: February 2004

Offense: DUI Location: New Hampshire

Disposition: 3 month drivers license Suspension

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes ☐ No ✓ If **Yes**, give name:

15. Has/have applicant(s) formerly held a Maine liquor license? YES ✓ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ✓ If **No** give name and address of owner:

York Country Club / York Golf & Tennis Club York ME 03909

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required)

Golf Clubhouse & Deck/Patio

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES ✓ NO ☐ Applied for:

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1800 ft Which of the above is nearest? School

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ✓

If YES, give details:

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: York Maine (Town/City, State) on 31 day (Date), 20 12

**Please sign in blue ink**

D Muccio
Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name Print Name

## NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

## THIS APPROVAL EXPIRES IN 60 DAYS.

## FEE SCHEDULE

**Class I** Spirituous, Vinous and Malt ..... $ 900.00
**CLASS I:** Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

**Class I-A** Spirituous, Vinous and Malt, Optional Food (Hotels Only) ..... $1,100.00
**CLASS I-A:** Hotels only that do not serve three meals a day.

**Class II** Spirituous Only ..... $ 550.00
**CLASS II:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

**Class III** Vinous Only ..... $ 220.00
**CLASS III:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

**Class IV** Malt Liquor Only ..... $ 220.00
**CLASS IV:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

**Class V** Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) ..... $ 495.00
**CLASS V:** Clubs without catering privileges.

**Class X** Spirituous, Vinous and Malt – Class A Lounge ..... $2,200.00
**CLASS X:** Class A Lounge

**Class XI** Spirituous, Vinous and Malt – Restaurant Lounge ..... $1,500.00
**CLASS XI:** Restaurant/Lounge; and OTB.

**FILING FEE** ..... $ 10.00

**UNORGANIZED TERRITORIES** $10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164**. Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

## STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the

☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and herby approve said application.

_____ _____

_____ _____

_____ _____

## THIS APPROVAL EXPIRERS IN 60 DAYS

## NOTICE – SPECIAL ATTENTION

**§ 653. Hearings; bureau review; appeal**

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
   - **A.** The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
   - **B.** The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
   - **C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
   - **A.** Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
   - **B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
   - **C.** Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
   - **D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
   - **E.** A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
   - **F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
   - **A.** [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

STATE OF MAINE
**Liquor Licensing & Inspection Unit**
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

**SUPPLEMENTARY QUESTIONAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS**

1. **Exact Corporate Name:** York Golf and Tennis Club

   **Business D/B/A Name:** _____

2. **Date of Incorporation:** 4/26/1943

3. **State in which you are incorporated:** Maine

4. **If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:** _____

5. **List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:**

| Name | Address Previous 5 Years | Birth Date | % of Stock | Title |
|---|---|---|---|---|
| Brent Mohr | 28 Rogers Point Eliot Me | 6/10/44 | — | President |
| Gregory Villa | 33 Candlewood Dr York | | — | Vice President |
| Jeff. McConnell | 41 Woodside Meadow | 3/16/44 | — | Treasurer |
| Fern Phillips | 140 Bartlett Rd York | 6/9/54 | — | Secretary |
| | | | | |
| | | | | |

6. **What is the amount of authorized stock?** — **Outstanding Stock?** —

7. **Is any principal officer of the corporation a law enforcement official?** ( ) YES (✓) NO

8. **Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States?** (✓) YES ( ) NO.

9. **If yes, please complete the following: Name:** Daniel Muccio

Date of Conviction: February 2004 Offense: DUI

Location: New Hampshire Disposition: 3 month suspension of drivers license

**Dated at:** Rochester **On:** February 2004
City/Town Date

**Signature of Duly Authorized Officer** **Date:** 1/31/12

Daniel Muccio
**Print Name of Duly Authorized Officer**

STATE OF MAINE
**Liquor Licensing & Inspection Unit**
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

## SUPPLEMENTARY QUESTIONAIRE FOR CLUB APPLICANTS

1. **Exact Club Name:** York Golf and Tennis Club

2. **Title, name, birth date and telephone number of each principal officer of the club:**

| Title | Name | Birth Date | Telephone # |
|---|---|---|---|
| President | Brent mohr | 6/10/44 | 363-0130 |
| Vice-President | Gregory villa | | 363-0130 |
| Treasurer | Jeff McConnell | 3/16/44 | 363-0130 |
| Secretary | Fern Phillips | 6/9/54 | 363-0130 |
| | | | |
| | | | |

3. **Date Club was incorporated:** 4/26/1943

4. **Purpose of Club:** ( ) Social (✓) Recreational ( ) Patriotic ( ) Fraternal

5. **Date regular meetings are held:** Second Tuesday of each month

6. **Date of election of Club Officers:** AUGUST

7. **Date elected officers are installed:** September

8. **Total Membership:** 700 **Annual Dues:** 1,400.00 **Payable When:** April 1

9. **Does the Club cater to the public or to groups of non-members on the premises?** (✓) YES ( ) NO

10. **Excluding salaries, will any person other than the Club, receive any of the financial profits from the sale of liquor?**

    ( ) YES (✓) NO

11. **If a manager or steward is employed, complete the following:**

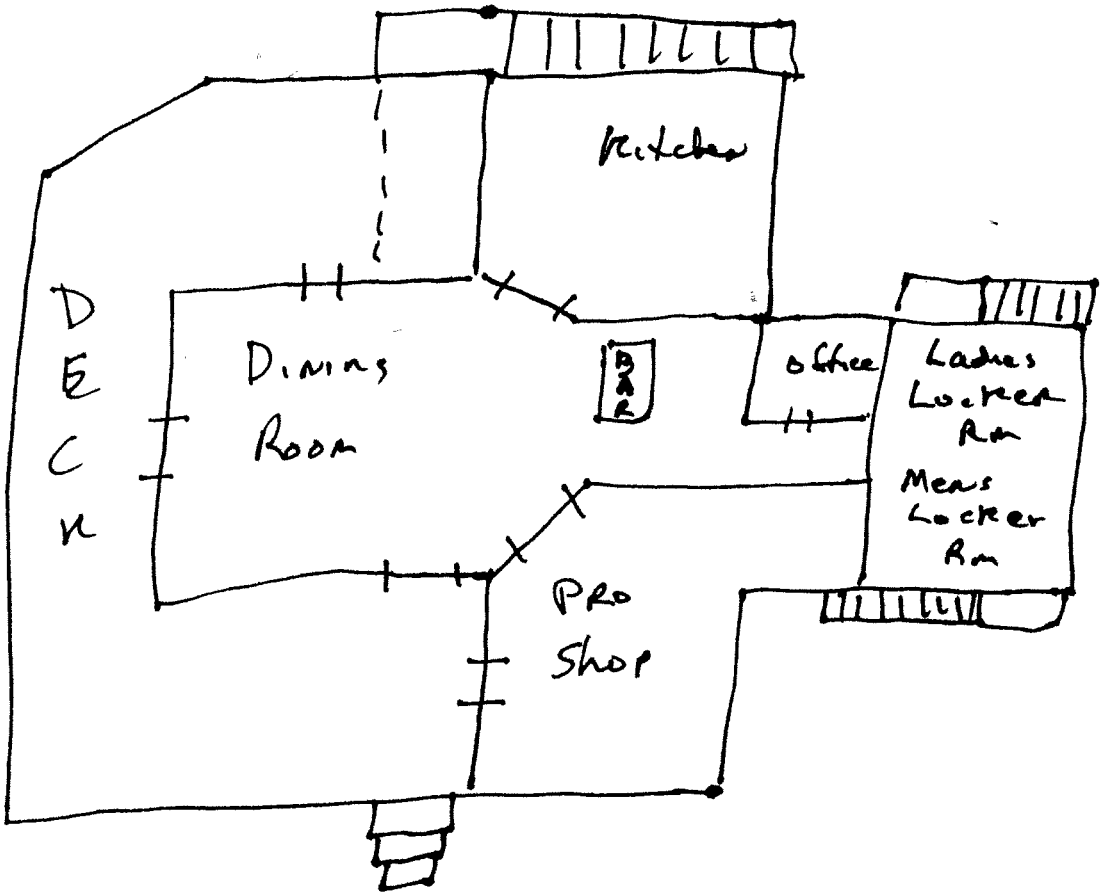
**Name:** Daniel Muccio **Date of Birth:** 5/20/60

pres
**Signature and Title of Club Officer**

BRENT MOHR PRES
**Print Name and Title of Club Officer**

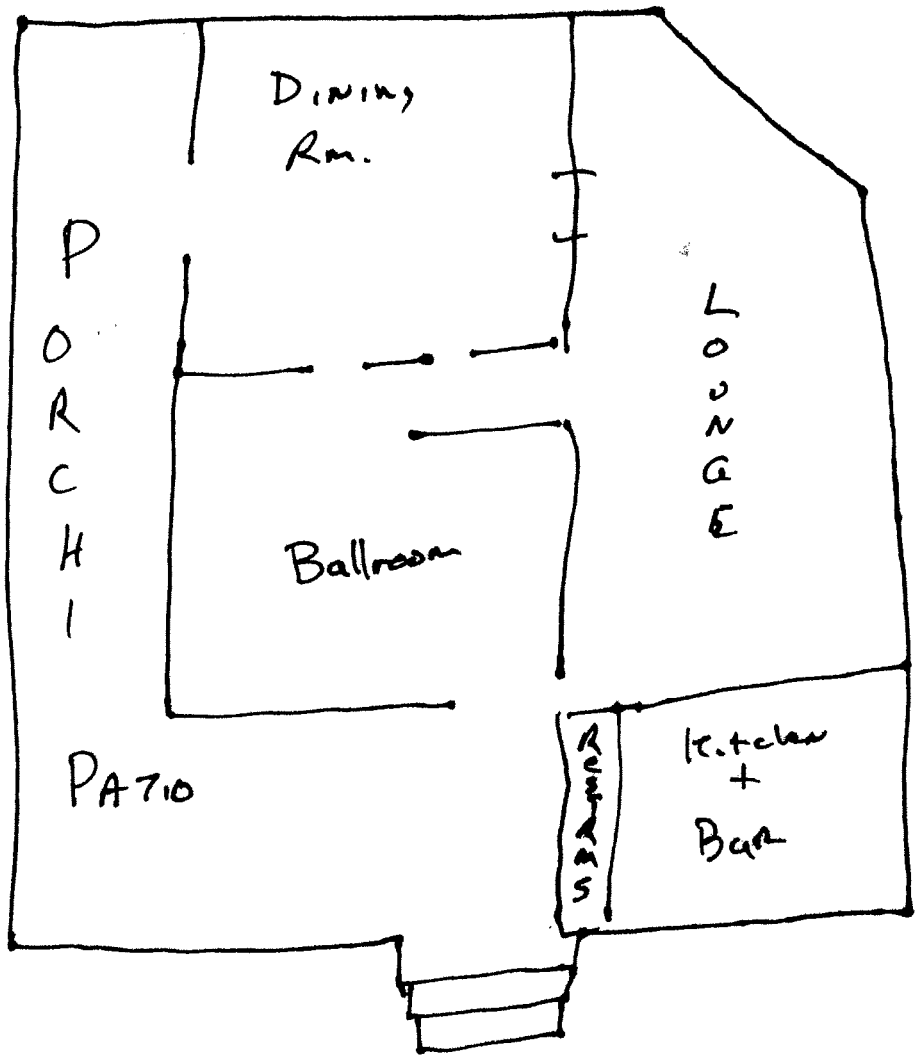
**PREMISE DIAGRAM**

CLUBHOUSE



**PREMISE DIAGRAM**

OLD CLUBHOUSE



# State of Maine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

**EST ID: 5002**

**EATING PLACE 30-75 SEATS**

40 Seats (indoors)

BRENT MOHR, PRESIDENT
62 ORGANUG RD
YORK ME 03909-1307

EXPIRES: 06/27/2012

FEE: $185.00

YORK GOLF & TENNIS CLUB
BRENT MOHR, PRESIDENT
62 ORGANUG RD
YORK ME 03909-1307

Mary C. Mayhew
COMMISSIONER

NON-TRANSFERABLE

06407

# State of Maine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

**EST ID: 7127**

**EATING PLACE >75 SEATS**

125 Seats (in)

YORK GOLF AND TENNIS CLUB
62 ORGANUG RD (OLD CLUBHOUSE)
YORK ME 03909-1390

EXPIRES: 08/16/2012

FEE: $215.00

YORK GOLF & TENNIS CLUB
YORK GOLF AND TENNIS CLUB
62 ORGANUG RD
YORK ME 03909-1390

Mary C. Mayhew
COMMISSIONER

NON-TRANSFERABLE

08056

# State of Maine

Department of Agriculture, Food and Rural Resources
Division of Quality Assurance & Regulations
28 State House Station, Augusta, ME 04333-0028
(207) 287-3841

SERIAL NUMBER

67159

| 1-6077 | September 26, 2011 | October 31, 2012 |
|---|---|---|
| LICENSE NUMBER | DATE OF ISSUE | DATE OF EXPIRATION |

This certificate is valid only between the date issued and expiration date appearing herein. Only the named holder at the location for which issued may use it.

The person named herein is authorized to sell or manufacture food products, fuel and/or sell or repair weighing and measuring devices as permitted by law for the listed authorizations.

This certificate and/or each type of authorization represented is subject to suspension, revocation or cancellation as authorized by Maine Revised Statutes.

*This certifies that*

**Snack Shack**
**York Golf & Tennis Club**
**62 Organug RD**

**York, ME 03909-**

**SNACKS**

**Location: 62 Organug RD, York**

| LICENSE TYPE | | DESCRIPTION OF LICENSE AUTHORIZATIONS | FEE |
|---|---|---|---|
| **License Type** | | **Authorizations** | **Fee** |
| Retail Food Establishment | 0 to 10 | Fruit Juices<br>Prepackaged Food | 20.00 |
| | | **TOTAL:** | 20.00 |

Department of Agriculture

Commissioner

EVERY LICENSE SHALL BE DISPLAYED ON THE LICENSED PREMISES IN A LOCATION EASILY SEEN BY THE GENERAL PUBLIC.

Division of Quality Assurance

Director

**ATTENTION - PLEASE READ**

**If you are required to submit landings reports, please use your "Landings Number" 116060 located on the upper right of your license card on ALL reports. Your license number is no longer valid for identification purposes on Landings Reports.**

**Thank you.**

***YORK GOLF & TENNIS CLUB***
***62 ORGANUG RD***
***YORK ME 03909***

**Renew this license online at www.MaineMarineLicensing.com**
**Marine Resources Licensing (207) 624-6550**

**116060**

***2011 State of Maine***
***Department of Marine Resources***

Landings Number 116060

**Issued:** 04/01/11 **Fee:** $122.00 **Expires:** 03/31/12

**RETAIL SEAFOOD 233Y**

YORK GOLF & TENNIS CLUB
62 ORGANUG RD
YORK ME 03909

Commissioner: Norman H. Olsen

# STATE OF MAINE
# MAINE REVENUE SERVICES

*THIS REGISTRATION CERTIFICATE FOR A*

## RETAILER

*is issued under the provisions of MRSA, Title 36, Part 3, §1754-B to:*

YORK GOLF & TENNIS CLUB
62 ORGANUG RD
YORK ME 03909-1307

**Registration Number:** 0133631

**Date Issued:** NOVEMBER 01 1972

Business Code: 012
Filing Frequency: SEASONAL

Jerome D. Gerard
Acting State Tax Assessor

This certificate must be conspicuously displayed at the location from which sales are made.

## Susan Scott

**From:** David Apgar
**Sent:** Thursday, February 02, 2012 7:20 AM
**To:** Susan Scott
**Subject:** Inspection Completed - York Golf & Tennis Club

Hi Susie,

I have completed a fire inspection at The York Golf & Tennis Country Club. Please proceed with the licensing renewal process.

Thank you,

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact town@yorkmaine.org. This footnote also confirms that this email message has been checked for the presence of computer viruses.

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Wednesday, March 21, 2012 8:39 AM
**To:** Susan Scott
**Subject:** RE: Follow Up - Business License Renewal Apps

All paid!

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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**From:** Susan Scott
**Sent:** Tuesday, March 20, 2012 4:20 PM
**To:** Mary-Anne Szeniawski
**Subject:** Follow Up - Business License Renewal Apps

Hi Mary-Anne,

Don't mean to bug but wondering if you've reviewed the following applications that I previously forwarded for review:

1. Windbreaker Restaurant – 243 Long Beach Ave. (Map 33, Lot 34)
2. York Golf & Tennis Club – 62 Organug Road (Map 61, Lot 17)
3. Candleshop Inn – 44 Freeman Street (Map 23, Lot 53)
4. Bos'n's Landing – 150 U.S. Route 1 (Map 73, Lot 14A)
5. Dockside Guest Quarters & Restaurant (Map 63, Lot 2)

Thanks a bunch!

Susie

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

**Please consider the environment before printing this email.**
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# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

Business Name York House of Pizza
Business Location 274 York St
York ME 03909
Telephone Number 207 363-6171

OWNER'S Name and Mailing Address Same as above

APPLICANT'S Name and Mailing Address Paul Karoutas

Is applicant same operator as prior year? ☒ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | ✓ 3/13/12 | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | 3/23 | |
| Tax Collector | ✓ 3/23/12 | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

MAP/LOT: 50-117 GEN-3 SS
License Year: 2012
No. Of Seats: 60
No. Of Parking Spaces:

New License (One Time $30 Fee): YES (NO)

License Renewal: ~~YES~~ NO

Bed and Breakfast License: # of Rooms

Hotel/Motel with Cooking Facilities: # of Rooms

Is Your Establishment Closed for More Then 120 Consecutive Days? YES NO

REQUESTING THE FOLLOWING LICENSES:
X $25.00 Victualers
___ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):

___ Bed and Breakfast ($10 Per Room): Total

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total

Have you ever been convicted of a Felony? YES (Please Explain) NO ✓

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

3/7/12
Date

Applicant's Signature

**Please Read and Initial the Following Statements:**

✓ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
✓ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
✓ I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
✓ I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature

Business Manager Signature (If Applicable)

Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $75.00 RECEIPT NO. CK 5978 RECEIPT DATE 3/13/12 SS MI PM MM MS 3/13/12
cc'd: Code ✓
Fire ✓

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

Business Name York House of Pizza
Business Location 274 York St
York ME 03909
Telephone Number 207 363-6171

OWNER'S Name and Mailing Address Same as above

APPLICANT'S Name and Mailing Address Paul Karoutas

Is applicant same operator as prior year? ☒ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | 13 MARCH 12 | KAROUTAS |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | | |
| Tax Collector | | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

MAP/LOT: 50-117 GEN-3 SS
License Year: 2012
No. Of Seats: 60
No. Of Parking Spaces:

New License (One Time $30 Fee): YES (NO)

License Renewal: ~~YES~~ NO

Bed and Breakfast License: # of Rooms

Hotel/Motel with Cooking Facilities: # of Rooms

Is Your Establishment Closed for More Then 120 Consecutive Days? YES NO

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___$25.00 Liquor
___$25.00 Special Amusement
___$25.00 Bottle Club
___$25.00 Theater
___$25.00 Dance Hall
___Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):

___Bed and Breakfast ($10 Per Room): Total

___Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total

Have you ever been convicted of a Felony? YES (Please Explain) NO

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

3/7/12
Date

Applicant's Signature

**Please Read and Initial the Following Statements:**

✓ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
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Business Owner Signature

Business Manager Signature (If Applicable)

Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $75.00 RECEIPT NO. CK. 5978 RECEIPT DATE 3/13/12 SS MI PM MM MS

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Wednesday, March 14, 2012 9:18 AM
**To:** Susan Scott
**Subject:** RE: Business License Renewal Applications: 9

Susie,
All are up to date with their personal property except

York House of Pizza owes $49.19 as of 3/31/12
York Harbor Inn owes $1,379.59 as of 3/31/12
Harbor Cliffs B & B owes $93.83 as of 3/31/12

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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**From:** Susan Scott
**Sent:** Tuesday, March 13, 2012 1:53 PM
**To:** David K. Bridges; David Apgar; Christopher Balentine; Mary-Anne Szeniawski
**Subject:** Business License Renewal Applications: 9

Hi,

Please find the following renewal applications for your inspections/approval.

1. York House of Pizza – 274 York Street (Map 50, Lot 117)
2. York Harbor Inn – 480 York Street (Map 58, Lot 6)
3. 1730 Harbor Crest Inn – 378 York Street (Map 57, Lot 66)
4. Harbor Cliffs B&B – 484 York Street (Map 58, Lot 7)
5. Harbor Hill – 472 York Street (Map 58, Lot 4)
6. Kettle Boys Popcorn – 15 Railroad Ave. (Map 23, Lot 3)
7. Shore Road Market – 10 Shore Road (Map 20, Lot 20) – ***NEW OWNER: Phillip Stearns***
8. Windbreaker – 243 Long Beach Ave. (Map 33, Lot 34)
9. Sun n Surf – 264 Long Beach Ave. (Map 36, Lot 97)

Thanks, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

**Please consider the environment before printing this email.**

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Friday, March 23, 2012 9:11 AM
**To:** Susan Scott
**Subject:** RE: Business License Renewal Applications: 9

Yes, Paul (the owner) was in, very apologetic. Also, on another note, I have come across a few small issues on the warrants. When are you going to 'mass produce' them?

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
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---

**From:** Susan Scott
**Sent:** Friday, March 23, 2012 8:56 AM
**To:** Mary-Anne Szeniawski
**Subject:** RE: Business License Renewal Applications: 9

Good morning,

Has York House of Pizza paid their $49.19 yet?

Thanks, Susie

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

**Please consider the environment before printing this email.**
\

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**From:** Mary-Anne Szeniawski
**Sent:** Wednesday, March 14, 2012 9:18 AM
**To:** Susan Scott
**Subject:** RE: Business License Renewal Applications: 9

Susie,
All are up to date with their personal property except

York House of Pizza owes $49.19 as of 3/31/12
York Harbor Inn owes $1,379.59 as of 3/31/12
Harbor Cliffs B & B owes $93.83 as of 3/31/12

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

**Business Name** The York Harbor Reading Room
**Business Location** 491 York Street
York Harbor, Maine 03911
**Telephone Number** 207-363-2563

**OWNER'S Name and Mailing Address** The York Harbor Reading Room
P.O. Box 66
York Harbor, Maine 03911

**APPLICANT'S Name, and Mailing Address** Benjamin J. Lawler, G.M.
P.O. Box 66
York Harbor, Maine 03911

**Is applicant same operator as prior year?** ☒ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| **DEPARTMENT** | **DATE** | **INITIALS** |
| Zoning/Land Use | | |
| Building Structural | ✓ 3/6/12 | |
| Electrical | | |
| Plumbing | ✓ 3/15/12 | |
| Fire | ✓ 1/25/12 | Email |
| Tax Collector | ✓ 1/13/12 | Email |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

**MAP/LOT:** 58-9 RES-4
**License Year:** 2012
**No. Of Seats:** 200
**No. Of Parking Spaces:** Ø

**New License (One Time $30 Fee):** YES NO

**License Renewal:** (YES) NO

**Bed and Breakfast License:** # of Rooms _____

**Hotel/Motel with Cooking Facilities:** # of Rooms _____

**Is Your Establishment Closed for More Then 120 Consecutive Days?** (YES) NO

**REQUESTING THE FOLLOWING LICENSES:**
✓ $25.00 Victualers
✓ $25.00 Liquor
✓ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):
BANDS FOR ANNUAL EVENTS

___ Bed and Breakfast ($10 Per Room): Total _____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total _____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO ✓

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

1/12/12
Date

Applicant's Signature

**Please Read and Initial the Following Statements:**

✓ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
✓ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
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✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

✓ Business Owner Signature _____ Business Manager Signature (If Applicable) _____
TREASURER

Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $125.00 RECEIPT NO. CK# 12253 RECEIPT DATE 1/12/12 SS MI PM MM MS 1/31/12
Code Clerk ✓
CEO ✓
Fire ✓

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

Business Name The York Harbor Reading Room
Business Location 491 York Street
York Harbor, Maine 03911
Telephone Number 207-363-2563

OWNER'S Name and Mailing Address The York Harbor Reading Room
P.O. Box 66
York Harbor, Maine 03911

APPLICANT'S Name and Mailing Address Benjamin J. Lawlor, G.M.
P.O. Box 66
York Harbor, Maine 03911

Is applicant same operator as prior year? ☒ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | | |
| Building Structural | 6 MARCH 11 | [illegible] |
| Electrical | | |
| Plumbing | 15 MARCH 12 | [illegible] |
| Fire | | |
| Tax Collector | | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

MAP/LOT: 58-9 RES-4
License Year: 2012
No. Of Seats: 200
No. Of Parking Spaces: Ø

New License (One Time $30 Fee): YES NO

License Renewal: YES NO

Bed and Breakfast License: # of Rooms _____

Hotel/Motel with Cooking Facilities: # of Rooms _____

Is Your Establishment Closed for More Then 120 Consecutive Days? YES NO

REQUESTING THE FOLLOWING LICENSES:
✓ $25.00 Victualers
✓ $25.00 Liquor
✓ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):
BANDS FOR ANNUAL EVENTS

___ Bed and Breakfast ($10 Per Room): Total _____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total _____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO ✓

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

1/12/12
Date

[signature]
Applicant's Signature

**Please Read and Initial the Following Statements:**

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✓ I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
✓ I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

✓ Business Owner Signature [signature] TREASURER

Business Manager Signature (If Applicable) [signature]

Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $125.00 RECEIPT NO. CK: 12253 RECEIPT DATE 1/12/12 SS MI PM MM MS

**Department of Public Safety Division**

**Liquor Licensing & Inspection**

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

| BUREAU USE ONLY |
|---|
| License No. Assigned: |
| Class: |
| Deposit Date: |
| Amt. Deposited: |

**PRESENT LICENSE EXPIRES** 4/30/12

**INDICATE TYPE OF PRIVILEGE:** ☑ MALT ☑ SPIRITUOUS ☑ VINOUS

**INDICATE TYPE OF LICENSE:**

- ☐ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTIONAL FOOD (Class I-A)
- ☐ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)
- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☑ CLUB-ON PREMISE CATERING (Class I)
- ☐ GOLF CLUB (Class I,II,III,IV)
- ☐ OTHER: _____

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

| 1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) | 2. Business Name (D/B/A) |
|---|---|
| The York Harbor Reading Room DOB: | The York Harbor Reading Room |
| DOB: | |
| DOB: | Location (Street Address): 491 York Street |
| Address: 491 York Street | City/Town: York Harbor State: Maine Zip Code: 03911 |
| | Mailing Address: P.O. Box 66 |
| City/Town: York Harbor State: Maine Zip Code: 03911 | City/Town: York Harbor State: Maine Zip Code: 03911 |
| Telephone Number: 207-363-2563 Fax Number: 207-363-7349 | Business Telephone Number: 1-207-363-2563 Fax Number: 1-207-363-7349 |
| Federal I.D. #: 01-018637 | Seller Certificate #: 0017078 |

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS $ _____ FOOD $ 315,560.00 LIQUOR $ 117,318.00
5. Is applicant a corporation, limited liability company or limited partnership? YES ☑ NO ☐

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☑ NO ☐
7. If manager is to be employed, give name: Benjamin J. Lawlor
8. If business is NEW or under new ownership, indicate starting date: _____

   Requested inspection date: _____ Business hours: _____
9. Business records are located at: 491 York Street, York Harbor, Maine 03911
10. Is/are applicants(s) citizens of the United States? YES ☑ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☑ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

| Name in Full (Print Clearly) | DOB | Place of Birth |
|---|---|---|
| Benjamin J. LAWLOR | 3/5/49 | Dover, N.H. |
| | | |
| | | |

Residence address on all of the above for previous 5 years (Limit answer to city & state

5 CHESTNUT STREET
DOVER, N.H. 03820

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES ☐ NO ☑

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes ☐ No ☑ If **Yes**, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☑ NO ☐

16. Does/do applicant(s) own the premises? Yes ☑ No ☐ If **No** give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____
PRIVATE SOCIAL CLUB (Seasonal Operation: MAY - October)

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES ☑ NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? ~50 Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☑

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: YORK Harbor, MAINE (Town/City, State) on JANUARY (Date), 20 12

**Please sign in blue ink**

Benjamin Lawlor
Signature of Applicant or Corporate Officer(s)
GENERAL MANAGER

Signature of Applicant or Corporate Officer(s)
TREASURER

Benjamin Lawlor
Print Name

Print Name

Anne L Saer

## NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

## THIS APPROVAL EXPIRES IN 60 DAYS.

## FEE SCHEDULE

**Class I** Spirituous, Vinous and Malt ..... $ 900.00
**CLASS I:** Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

**Class I-A** Spirituous, Vinous and Malt, Optional Food (Hotels Only) ..... $1,100.00
**CLASS I-A:** Hotels only that do not serve three meals a day.

**Class II** Spirituous Only ..... $ 550.00
**CLASS II:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

**Class III** Vinous Only ..... $ 220.00
**CLASS III:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

**Class IV** Malt Liquor Only ..... $ 220.00
**CLASS IV:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

**Class V** Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) ..... $ 495.00
**CLASS V:** Clubs without catering privileges.

**Class X** Spirituous, Vinous and Malt – Class A Lounge ..... $2,200.00
**CLASS X:** Class A Lounge

**Class XI** Spirituous, Vinous and Malt – Restaurant Lounge ..... $1,500.00
**CLASS XI:** Restaurant/Lounge; and OTB.

**FILING FEE** ..... $ 10.00

**UNORGANIZED TERRITORIES** $10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164**. Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

## STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the

☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and herby approve said application.

_____ _____

_____ _____

_____ _____

## THIS APPROVAL EXPIRERS IN 60 DAYS

## NOTICE – SPECIAL ATTENTION

**§ 653. Hearings; bureau review; appeal**

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
   - **A.** The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
   - **B.** The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
   - **C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
   - **A.** Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
   - **B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
   - **C.** Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
   - **D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
   - **E.** A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
   - **F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
   - **A.** [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receUpon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

STATE OF MAINE
**Liquor Licensing & Inspection Unit**
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

**SUPPLEMENTARY QUESTIONAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS**

1. **Exact Corporate Name:** The York Harbor Reading Room, Inc.
   **Business D/B/A Name:** The York Harbor Reading Room
2. **Date of Incorporation:** 8/22/1901
3. **State in which you are incorporated:** MAINE
4. **If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:** _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

| Name | Address Previous 5 Years | Birth Date | % of Stock | Title |
|---|---|---|---|---|
| Scott Ramsay | P.O. Box 282 York Harbor | 5/9/46 | -1% | President |
| Ann ~~Prescott~~ Saer | P.O. Box 1031 York Harbor | 2/19/57 | -1% | Treasurer |
| William Hart | 13 Vine St. South Berwick Me. | 9/17/43 | -1% | Vice President |
| Liz Rollins Murray | 151 Power St. Providence RI. | 2/20/56 | -1% | Secretary |
| | | | | |
| | | | | |

6. **What is the amount of authorized stock?** $54,500.00 **Outstanding Stock?** 218 Shares
7. **Is any principal officer of the corporation a law enforcement official?** ( ) YES (X) NO
8. **Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States?** ( ) YES (X) NO.
9. **If yes, please complete the following: Name:** _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

**Dated at:** York Maine (City/Town) **On:** 1/10/12 (Date)

Anne C. Saer **Date:** 1/10/12
**Signature of Duly Authorized Officer**

Anne C. SAER
**Print Name of Duly Authorized Officer**

**MAINE DEPT OF PUBLIC SAFETY**

STATE OF MAINE
*Liquor Licensing & Inspection Division*
164 State House Station
Augusta ME 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

# SUPPLEMENTARY QUESTIONNAIRE FOR CLUB APPLICANTS

1. Exact Club Name: The York Harbor Reading Room

2. Title, name, birth date and telephone number of each principal officer of the club:

| Title | Name | Birth Date | Telephone |
|---|---|---|---|
| President | Scott Ramsay | 5/19/46 | 207-363-7839 |
| Treasurer | Ann ~~Driscoll~~ Saer | 2/19/57 | 207-363-8049 |
| Vice President | William Hart | 9/17/43 | 207-384-5075 |
| Secretary | Liz Rollins Mauran | 2/20/56 | 401-274-5413 |
| | | | |

3. Date Club was incorporated: August 22, 1901

4. Purpose of Club: (X) Social ( ) Recreational ( ) Patriotic ( ) Fraternal

5. Date regular meetings are held: 3rd Wednesday of each month

6. Date of election of Club Officers: August 4, 2012

7. Date elected officers are installed: August 4, 2012

8. Total Membership: 211 Annual Dues: $1,050.00 Payable When: January

9. Does the Club cater to the public or to groups of non-members on the premises? Yes X No ☐

10. Excluding salaries, will any person, other than the Club, receive any of the financial profits from the sales of liquors? Yes ☐ No X

11. If a manager or steward is employed, complete the following:

Name: Benjamin J. Kawlor, G.M. Date of Birth: 3/5/49

**Sign in blue ink**

Anne C. Saer
Signature & Title of Club Officer

1/10/12
Date

Anne C. Saer
Print Name & Title of Club Officer

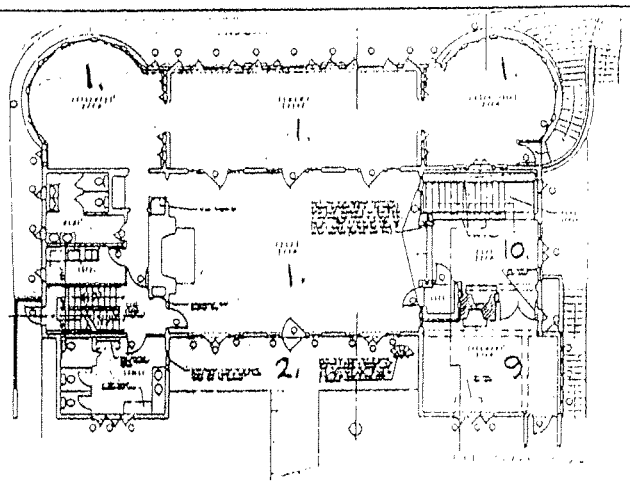
MAINE DEPT OF
PUBLIC SAFETY

STATE OF MAINE
*Liquor Licensing & Inspection Division*
164 State House Station
Augusta ME 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

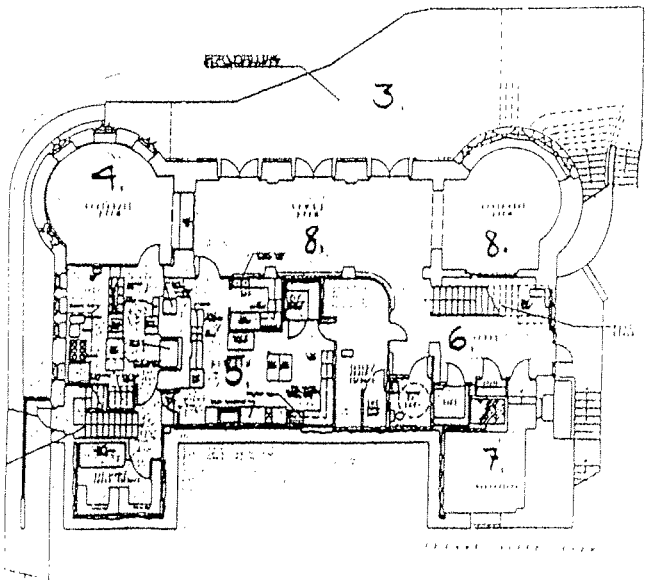
# SUPPLEMENTAL APPLICATION FORM
# ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption or storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.




First Floor
1. Dining Room
2. Porch
9. Fireman's Room
10. West Room




Ground Floor
3. Deck
4. Bar Area
5. Kitchen
6. Storage Area
7. Storage Area
8. Dining Area

# State of Maine

**DEPARTMENT OF PUBLIC SAFETY**
**Bureau of Liquor Licensing**

| License Number | Date of Issue | Date of Expiration |
|---|---|---|
| **3130** | **05/01/2011** | **04/30/2012** |

THIS CERTIFICATE IS VALID ONLY BETWEEN THE DATE ISSUED AND EXPIRATION DATE APPEARING HEREIN. IT MAY BE USED ONLY FOR THE NAMED HOLDER AT THE LOCATION FOR WHICH ISSUED.

THE PERSON NAMED HEREIN IS AUTHORIZED TO SELL OR DISPENSE ALCOHOLIC BEVERAGES WITH ALCOHOLIC CONTENT PERMITTED BY LAW FOR THE PERMITS DESIGNATED BELOW.

THIS CERTIFICATE AND/OR EACH TYPE OF PERMIT REPRESENTED IS SUBJECT TO SUSPENSION, REVOCATION OR CANCELLATION AS AUTHORIZED BY TITLE 28-A OF THE REVISED STATUTES.

**Owner(s):** YORK HARBOR READING ROOM
**Business:** YORK HARBOR READING ROOM
491 YORK STREET
YORK HARBOR, ME

| CODE | PERMIT TYPE/DESCRIPTION | FEE |
|---|---|---|
| 1101 | CLASS I - SPIRIT, VINOUS, AND MALT - CLUB WITH CATERING PRIVILEGES | $900.00 |
| 2630 | FILING FEE | 10.00 |

**Total Fees:** $ 910.00

**Every license shall be displayed on the licensed premises in a conspicuous location in that part of the premises where liquor is served or sold, where it can easily be seen.**

*Bureau of Liquor Licensing*

John E Morris

Commissioner

**License fee is non-refundable**

YORK HARBOR READING ROOM
P.O. BOX 66
YORK HARBOR, ME 03911

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Wednesday, January 25, 2012 8:10 AM
**To:** Susan Scott
**Subject:** RE: Business License Renewal - YHReading Room & Lobster Barn

The Barn and The Reading Room are up to date on their taxes.

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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**From:** Susan Scott
**Sent:** Tuesday, January 24, 2012 3:21 PM
**To:** David K. Bridges; David Apgar; Christopher Balentine; Mary-Anne Szeniawski
**Subject:** Business License Renewal - YHReading Room & Lobster Barn

Hi All,

In case my prior email was confusing, please find again the attached the Business License Renewal for YHReading Room for review and approval.

Thank you, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

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## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Friday, January 13, 2012 8:10 AM
**To:** Susan Scott
**Subject:** RE: Business License Renewal - York Harbor Reading Room

Current

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
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**From:** Susan Scott
**Sent:** Thursday, January 12, 2012 4:21 PM
**To:** David K. Bridges; David Apgar; Christopher Balentine; Mary-Anne Szeniawski
**Subject:** Business License Renewal - York Harbor Reading Room

Hello All,

Please find the attached renewal application for the Lobster Barn.

Thank you, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

**Please consider the environment before printing this email.**
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# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

**Business Name** Long Sands General Store
**Business Location** 121 Long Beach Ave York ME 03909
**Telephone Number** (207) 363 5383

**OWNER'S Name and Mailing Address** 121 Long Beach Ave York ME 03909

**APPLICANT'S Name and Mailing Address** 121 Long Beach Ave York ME 03909

**Is applicant same operator as prior year?** ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | ✓ 3/16/12 | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | ✓ 3/20/12 | |
| Tax Collector | ✓ 3/7/12 | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

**MAP/LOT:** 31-98 RES-7 SS
**License Year:** 2012
**No. Of Seats:** Ø
**No. Of Parking Spaces:** _____

**New License (One Time $30 Fee):** YES NO

**License Renewal:** (YES) NO

**Bed and Breakfast License**: # of Rooms_____

**Hotel/Motel with Cooking Facilities**: # of Rooms_____

**Is Your Establishment Closed for More Then 120 Consecutive Days?** YES (NO)

**REQUESTING THE FOLLOWING LICENSES:**
✓ $25.00 Victualers
___ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): _____

___ Bed and Breakfast ($10 Per Room): Total_____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO ✓

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

3/6/12 Date [signature] Applicant's Signature

**Please Read and Initial the Following Statements:**

✓ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
✓ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
✓ I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
✓ I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature [signature] Business Manager Signature (If Applicable)_____

3/6/12 Date _____ Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $75.00 RECEIPT NO. CK: 007872 RECEIPT DATE 3/7/12 SS MI PM MM MS 3/7/12
cc: Fire Clerk ✓

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

Business Name Long Sands General Store
Business Location 121 long beach AVE
York ME 03909
Telephone Number (207) 363 5383

OWNER'S Name and Mailing Address 121 long beach AVE
York ME 03909

APPLICANT'S Name and Mailing Address 121 long beach AVE
York ME 03909

Is applicant same operator as prior year? ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | 16 March 12 | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | | |
| Tax Collector | | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

**MAP/LOT:** 31-98 RES-7 SS
**License Year:** 2012
**No. Of Seats:** 0
**No. Of Parking Spaces:** _____

**New License (One Time $30 Fee):** YES NO

**License Renewal:** (YES) NO

**Bed and Breakfast License:** # of Rooms_____

**Hotel/Motel with Cooking Facilities:** # of Rooms_____

**Is Your Establishment Closed for More Then 120 Consecutive Days?** YES (NO)

**REQUESTING THE FOLLOWING LICENSES:**
✓ $25.00 Victualers
___ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): _____

___ Bed and Breakfast ($10 Per Room): Total_____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO ✓

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

3/6/12 [signature]
Date Applicant's Signature

**Please Read and Initial the Following Statements:**

✓ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
✓ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
✓ I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
✓ I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature [signature] Business Manager Signature (If Applicable)_____

3/6/12 _____
Date Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $75.00 RECEIPT NO. CK: 007872 RECEIPT DATE 3/7/12 SS MI PM MM MS

# State of Maine

Department of Agriculture, Food and Rural Resources
Division of Quality Assurance & Regulations
28 State House Station, Augusta, ME 04333-0028
(207) 287-3841

SERIAL NUMBER

66583

| 1-409 | May 24, 2011 | June 30, 2012 |
|---|---|---|
| LICENSE NUMBER | DATE OF ISSUE | DATE OF EXPIRATION |

This certificate is valid only between the date issued and expiration date appearing herein. Only the named holder at the location for which issued may use it.

The person named herein is authorized to sell or manufacture food products, fuel and/or sell or repair weighing and measuring devices as permitted by law for the listed authorizations.

This certificate and/or each type of authorization represented is subject to suspension, revocation or cancellation as authorized by Maine Revised Statutes.

*This certifies that*

**Long Sands General Store Inc**
**Donald, Erika & Suzanne Seydler**
**PO Box 809**

**York Beach, ME 03910-**

**CONVENIENCE STORE**

**Location: Long Beach AVE, York**

LICENSE TYPE

DESCRIPTION OF LICENSE AUTHORIZATIONS

FEE

| License Type | | Authorizations | Fee |
|---|---|---|---|
| Retail Meat | Prepackaged for Direct Sale | | 10.00 |
| Retail Food Establishment | 11 to 25 | Beverage Containers(Redeem)<br>Beverage Dispenser<br>Coffee/Tea(prepared on site)<br>Cold Foods (prepared on site)<br>Dairy Products<br>Frozen Food<br>Fruit Juices<br>Hot Foods (prepared on site)<br>Hotdog Steamer<br>Prepackaged Meat<br>Ready to Eat Deli Items<br>Seafood (Ready to Eat)<br>Soft Serve Ice Cream | 50.00 |
| Redemption Center | | | 50.00 |
| | | **TOTAL:** | 110.00 |

Department of Agriculture

Commissioner

EVERY LICENSE SHALL BE DISPLAYED ON THE LICENSED PREMISES IN A LOCATION EASILY SEEN BY THE GENERAL PUBLIC.

Division of Quality Assurance

Director

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Wednesday, March 07, 2012 2:28 PM
**To:** Susan Scott
**Subject:** RE: Business License Renewals (4)

All current, Carla Rollins has no bill ☺

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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---

**From:** Susan Scott
**Sent:** Wednesday, March 07, 2012 12:12 PM
**To:** David K. Bridges; David Apgar; Christopher Balentine; Mary-Anne Szeniawski
**Subject:** Business License Renewals (4)

Hi there,

I have attached the following license renewal applications for your review:

1. Long Sands General Store (Map 31, Lot 98) – 121 Long Beach Ave.
2. Bos'n's Landing (Map 73, Lot 14A) – 150 U.S. Route 1
3. Cumberland Farms (Map 50, Lot 113) – 230 York Street (*Inspections were conducted recently to comply for their 2011 license renewal. This application is for the upcoming 2012 renewal cycle*)
4. Boatyard Caterer/Carla Rollins (Map 90, Lot 19B) – 2 Scotland Bridge Street (NEW LICENSE – State licensing pending)

Thanks, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

**Please consider the environment before printing this email.**
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## Susan Scott

**From:** David K. Bridges
**Sent:** Tuesday, March 20, 2012 9:32 PM
**To:** Susan Scott
**Cc:** David K. Bridges
**Subject:** RE: Follow Up - Business License Renewal Apps

Yes, these have all been inspected and are ok to grant their license. Dave

---

**From:** Susan Scott
**Sent:** Tuesday, March 20, 2012 4:35 PM
**To:** David K. Bridges
**Subject:** FW: Follow Up - Business License Renewal Apps

Hi Chief Bridges,

Don't mean to bug but wondering if you've reviewed the following applications that I previously forwarded for review:

1. The Kettle Boys – Moved to 15 Railroad Avenue from 19 Railroad Ave. (Map 23, Lot 3-1)
2. Candleshop Inn – 44 Freeman Street (Map 23, Lot 53)
3. Long Sands General Store – 121 Long Beach Ave. (Map 31, Lot 98)

Thanks a bunch!

Susie

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
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# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

✓ 2/16/12 Will provide State licenses w/in the week.

Business Name Dockside Guest Quarters + Restaurant
Business Location 22 Harris Island Rd
York
Telephone Number 207 363-2722

OWNER'S Name and Mailing Address Philip Lusty
22 Harris Island Rd
York, ME 03909

APPLICANT'S Name and Mailing Address SAME

Is applicant same operator as prior year? ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | ✓ 3/16/12 | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | 3/23 | |
| Tax Collector | ✓ 3/21/12 | |

APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: 63-2
License Year: 2012/2013
No. Of Seats: 85
No. Of Parking Spaces:

New License (One Time $30 Fee): YES NO

License Renewal: (YES) NO

Bed and Breakfast License: # of Rooms 24

Hotel/Motel with Cooking Facilities: # of Rooms 8

Is Your Establishment Closed for More Then 120 Consecutive Days? (YES) NO

REQUESTING THE FOLLOWING LICENSES:
✓ $25.00 Victualers
✓ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):

16 Bed and Breakfast ($10 Per Room): Total 160

8 Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total 25

$ 50
160
25
$ 235
50
$ 285

Have you ever been convicted of a Felony? YES (Please Explain) NO NO

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

2.14.11
Date

Applicant's Signature

**Please Read and Initial the Following Statements:**

PL I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
PL I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
PL I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
PL I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
PL I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature

Business Manager Signature (If Applicable)

2-14-11
Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $285.00 RECEIPT NO. CK: 1075 RECEIPT DATE 2/16/12 SS MI PM MM MS 2/21/12

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

✓ 2/16/12 Will provide State licenses w/in the week.

Business Name Dockside Guest Quarters + Restaurant
Business Location 22 Harris Island Rd
York
Telephone Number 207 363-2722

OWNER'S Name and Mailing Address Philip Lusty
22 Harris Island Rd
York, ME 03909

APPLICANT'S Name and Mailing Address SAME

Is applicant same operator as prior year? ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | | |
| Tax Collector | | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

MAP/LOT: 63-2
License Year: 2012/2013
No. Of Seats: 85 55
No. Of Parking Spaces:

New License (One Time $30 Fee): YES NO

License Renewal: (YES) NO

Bed and Breakfast License: # of Rooms 24

Hotel/Motel with Cooking Facilities: # of Rooms 8

Is Your Establishment Closed for More Then 120 Consecutive Days? (YES) NO

REQUESTING THE FOLLOWING LICENSES:
✓ $25.00 Victualers
✓ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):

16 Bed and Breakfast ($10 Per Room): Total 160

8 Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total 25

$ 50
160
25
$ 235
50
$ 285

Have you ever been convicted of a Felony? YES (Please Explain) NO NO

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

2.14.12
Date

Applicant's Signature

**Please Read and Initial the Following Statements:**

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PL I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
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PL I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature Business Manager Signature (If Applicable)

2-14-12
Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $285.00 RECEIPT NO. CK: 1075 RECEIPT DATE 2/16/12 SS MI PM MM MS

# Department of Public Safety
# Liquor Licensing & Inspection Division

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

| BUREAU USE ONLY |
|---|
| License No. Assigned: |
| Class: |
| Deposit Date: |
| Amt. Deposited: |

**PRESENT LICENSE EXPIRES** MAY 2012

**INDICATE TYPE OF PRIVILEGE:** ☑ MALT ☑ SPIRITUOUS ☑ VINOUS

**INDICATE TYPE OF LICENSE:**

- ☑ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTINONAL FOOD (Class I-A)
- ☐ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)
- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☐ CLUB-ON PREMISE CATERING (Class I)
- ☐ GOLF CLUB (Class I,II,III,IV)
- ☐ OTHER: _____

**REFER TO PAGE 3 FOR FEE SCHEDULE**

owners of Harris Island Corp

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

| 1. APPLICANT(S) -(Sole Proprietor, Corporation, Limited Liability Co., etc.) | 2. Business Name (D/B/A) |
|---|---|
| Philip Lusty DOB: 9-23-61 | Dockside Restaurant |
| John Lusty DOB: 9-09-64 | 22 Harris Island Rd |
| Eric Lusty DOB: 1-3-59 | Location (Street Address) York ME 03909 |
| Address 22 Harris Island Rd | City/Town State Zip Code same |
| York ME 03909 | Mailing Address |
| City/Town State Zip Code 207 363 2722 | City/Town State Zip Code |
| Telephone Number Fax Number | Business Telephone Number 207 363 2722 Fax Number |
| Federal I.D. # | Seller Certificate # |

3. If premises is a hotel, indicate number of rooms available for transient guests: 24
4. State amount of gross income from period of last license: ROOMS $ 650K FOOD $ 450K LIQUOR $ 150K
5. Is applicant a corporation, limited liability company or limited partnership? YES ☐ NO ☑
complete Supplementary Questionnaire ,If YES
6. Do you permit dancing or entertainment on the licensed premises? YES ☑ NO ☐
7. If manager is to be employed, give name: _____
8. If business is NEW or under new ownership, indicate starting date: _____
Requested inspection date: _____ Business hours: _____
9. Business records are located at: 22 Harris Island Rd, York
10. Is/are applicants(s) citizens of the United States? YES ☑ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ✓ NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

| Name in Full (Print Clearly) | DOB | Place of Birth |
|---|---|---|
| Philip Lusty | 9.23.61 | York |
| John Lusty | 9.09.64 | York |
| Erik Lusty | 1.03.59 | York |

Residence address on all of the above for previous 5 years (Limit answer to city & state

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES NO ✓

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes No ✓ If **Yes**, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ✓ NO

16. Does/do applicant(s) own the premises? Yes ✓ No If **No** give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) (on file)
Restaurant, Porch, Banquet Room

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES ✓ NO Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? Church Which of the above is nearest? 1 mile

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO ✓

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: York (Town City, State) on 2.14 (Date), 2012

**Please sign in blue ink**

Signature of Applicant or Corporate Officer(s) — President

Signature of Applicant or Corporate Officer(s)

## STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the

☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and herby approve said application.

_____ _____

_____ _____

_____ _____

## THIS APPROVAL EXPIRERS IN 60 DAYS

## NOTICE – SPECIAL ATTENTION

**§ 653. Hearings; bureau review; appeal**

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
   - **A.** The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
   - **B.** The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
   - **C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
   - **A.** Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
   - **B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
   - **C.** Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
   - **D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
   - **E.** A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
   - **F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
   - **A.** [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

# State of Maine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

**EST ID: 4980**

**EATING PLACE >75 SEATS**

85 Seats (in)

DOCKSIDE RESTAURANT
HARRIS ISLAND
YORK ME 03909

EXPIRES: 03/07/2013

FEE: $215.00

HARRIS ISLAND CORP.
DOCKSIDE RESTAURANT
22 HARRIS ISLAND RD
YORK ME 03909-0205

12770

Mary C. Mayhew
COMMISSIONER

NON-TRANSFERABLE

# State of Maine

**DEPARTMENT OF PUBLIC SAFETY**
**Bureau of Liquor Licensing**

| License Number | Date of Issue | Date of Expiration |
|---|---|---|
| 5765 | 05/19/2011 | 05/18/2012 |

THIS CERTIFICATE IS VALID ONLY BETWEEN THE DATE ISSUED AND EXPIRATION DATE APPEARING HEREIN. IT MAY BE USED ONLY FOR THE NAMED HOLDER AT THE LOCATION FOR WHICH ISSUED.

THE PERSON NAMED HEREIN IS AUTHORIZED TO SELL OR DISPENSE ALCOHOLIC BEVERAGES WITH ALCOHOLIC CONTENT PERMITTED BY LAW FOR THE PERMITS DESIGNATED BELOW.

THIS CERTIFICATE AND/OR EACH TYPE OF PERMIT REPRESENTED IS SUBJECT TO SUSPENSION, REVOCATION OR CANCELLATION AS AUTHORIZED BY TITLE 28-A OF THE REVISED STATUTES.

**Owner(s):** HARRIS ISLAND, THE
**Business:** DOCKSIDE RESTAURANT
22 HARRIS ISLAND
YORK, ME

| CODE | PERMIT TYPE/DESCRIPTION | FEE |
|---|---|---|
| 1101 | CLASS I - SPIRIT, VINOUS, AND MALT - CLASS "A" RESTAURANT | $900.00 |
| 2630 | FILING FEE | 10.00 |

**Total Fees:** $ 910.00

**Every license shall be displayed on the licensed premises in a conspicuous location in that part of the premises where liquor is served or sold, where it can easily be seen.**

*Bureau of Liquor Licensing*

John E Morris

Commissioner

**License fee is non-refundable**

HARRIS ISLAND, THE
22 HARRIS ISLAND
YORK, ME 03909

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Wednesday, March 21, 2012 8:39 AM
**To:** Susan Scott
**Subject:** RE: Follow Up - Business License Renewal Apps

All paid!

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
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---

**From:** Susan Scott
**Sent:** Tuesday, March 20, 2012 4:20 PM
**To:** Mary-Anne Szeniawski
**Subject:** Follow Up - Business License Renewal Apps

Hi Mary-Anne,

Don't mean to bug but wondering if you've reviewed the following applications that I previously forwarded for review:

1. Windbreaker Restaurant – 243 Long Beach Ave. (Map 33, Lot 34)
2. York Golf & Tennis Club – 62 Organug Road (Map 61, Lot 17)
3. Candleshop Inn – 44 Freeman Street (Map 23, Lot 53)
4. Bos'n's Landing – 150 U.S. Route 1 (Map 73, Lot 14A)
5. Dockside Guest Quarters & Restaurant (Map 63, Lot 2)

Thanks a bunch!

Susie

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
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# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

**Business Name** The Kettle Boys Popcorn Co.
**Business Location** 15 Railroad Ave
York Beach, ME 03910
**Telephone Number** 207-362-4180 (Cait 207-451-7997)

**OWNER'S Name and Mailing Address** Fifteen Railroad One LLC
PO Box 1962
York Beach, ME 03910

**APPLICANT'S Name and Mailing Address** Jeremy Prescott
PO 1962
York Beach, ME 03910

**Is applicant same operator as prior year?** ☒ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | | |
| Building Structural | ✓ 3/14/12 | |
| Electrical | | |
| Plumbing | | |
| Fire | ✓ 3/20/12 | |
| Tax Collector | ✓ 3/14/12 | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

**MAP/LOT:** 23-3-1 YBVC SS
**License Year:** 2012
**No. Of Seats:** 32
**No. Of Parking Spaces:** 5

**New License (One Time $30 Fee):** YES NO

**License Renewal:** (YES) NO

**Bed and Breakfast License**: # of Rooms_____

**Hotel/Motel with Cooking Facilities**: # of Rooms_____

**Is Your Establishment Closed for More Then 120 Consecutive Days?** (YES) NO

**REQUESTING THE FOLLOWING LICENSES:**
X $25.00 Victualers
___$25.00 Liquor
___$25.00 Special Amusement
___$25.00 Bottle Club
___$25.00 Theater
___$25.00 Dance Hall
___Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):
_____

___Bed and Breakfast ($10 Per Room): Total_____

___Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

2/23/2012
Date

Applicant's Signature

**Please Read and Initial the Following Statements:**

G I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
H I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
I I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
J I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
G I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature_____ Business Manager Signature (If Applicable)_____

3/9/12
Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $ 75 - RECEIPT NO. CK: 0006305 RECEIPT DATE 3/13/12 SS MI PM MM MS

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

Business Name The Kettle Boys Popcorn Co.
Business Location 15 Railroad Ave
York Beach, ME 03910
Telephone Number 207-361-4180 (Alt 207 451-7997)

**OWNER'S** Name and Mailing Address FIFTEEN Railroad Ave, LLC
PO Box 1962
York Beach, ME 03910

**APPLICANT'S** Name and Mailing Address Jeremy Prescott
PO 1962
York Beach, ME 03910

Is applicant same operator as prior year? ☒ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | 14 MARCH 12 | KVANNY |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | | |
| Tax Collector | | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

MAP/LOT: 23-3-1 YBVC SS
License Year: 2012
No. Of Seats: 32
No. Of Parking Spaces: 5

New License (One Time $30 Fee): YES NO

License Renewal: YES NO

Bed and Breakfast License: # of Rooms_____

Hotel/Motel with Cooking Facilities: # of Rooms_____

Is Your Establishment Closed for More Then 120 Consecutive Days? YES NO

**REQUESTING THE FOLLOWING LICENSES:**

X $25.00 Victualers
___$25.00 Liquor
___$25.00 Special Amusement
___$25.00 Bottle Club
___$25.00 Theater
___$25.00 Dance Hall
___Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):

___Bed and Breakfast ($10 Per Room): Total_____

___Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

2/23/2012
Date

Applicant's Signature

**Please Read and Initial the Following Statements:**

✓ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
✓ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
✓ I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
✓ I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature _____ Business Manager Signature (If Applicable)_____

3/7/12
Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $75 - RECEIPT NO. CK: 006305 RECEIPT DATE 3/13/12 SS MI PM MM MS 3/13/12 SS

cc'd: Clerk ✓
CEO ✓

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Wednesday, March 14, 2012 9:18 AM
**To:** Susan Scott
**Subject:** RE: Business License Renewal Applications: 9

Susie,
All are up to date with their personal property except

York House of Pizza owes $49.19 as of 3/31/12
York Harbor Inn owes $1,379.59 as of 3/31/12
Harbor Cliffs B & B owes $93.83 as of 3/31/12

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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**From:** Susan Scott
**Sent:** Tuesday, March 13, 2012 1:53 PM
**To:** David K. Bridges; David Apgar; Christopher Balentine; Mary-Anne Szeniawski
**Subject:** Business License Renewal Applications: 9

Hi,

Please find the following renewal applications for your inspections/approval.

1. York House of Pizza – 274 York Street (Map 50, Lot 117)
2. York Harbor Inn – 480 York Street (Map 58, Lot 6)
3. 1730 Harbor Crest Inn – 378 York Street (Map 57, Lot 66)
4. Harbor Cliffs B&B – 484 York Street (Map 58, Lot 7)
5. Harbor Hill – 472 York Street (Map 58, Lot 4)
6. Kettle Boys Popcorn – 15 Railroad Ave. (Map 23, Lot 3)
7. Shore Road Market – 10 Shore Road (Map 20, Lot 20) – ***NEW OWNER: Phillip Stearns***
8. Windbreaker – 243 Long Beach Ave. (Map 33, Lot 34)
9. Sun n Surf – 264 Long Beach Ave. (Map 36, Lot 97)

Thanks, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

**Please consider the environment before printing this email.**

## Susan Scott

**From:** David K. Bridges
**Sent:** Tuesday, March 20, 2012 9:32 PM
**To:** Susan Scott
**Cc:** David K. Bridges
**Subject:** RE: Follow Up - Business License Renewal Apps

Yes, these have all been inspected and are ok to grant their license. Dave

---

**From:** Susan Scott
**Sent:** Tuesday, March 20, 2012 4:35 PM
**To:** David K. Bridges
**Subject:** FW: Follow Up - Business License Renewal Apps

Hi Chief Bridges,

Don't mean to bug but wondering if you've reviewed the following applications that I previously forwarded for review:

1. The Kettle Boys – Moved to 15 Railroad Avenue from 19 Railroad Ave. (Map 23, Lot 3-1)
2. Candleshop Inn – 44 Freeman Street (Map 23, Lot 53)
3. Long Sands General Store – 121 Long Beach Ave. (Map 31, Lot 98)

Thanks a bunch!

Susie

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

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1/5/12: s/w Tom Robinson
He will provide copies of State licenses (Seafood market & Liquor)

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

**Business Name** York Lobster & Seafood
**Business Location** 855 US Route 1 York ME 03909

**Telephone Number** 207 363-5000

**OWNER'S Name and Mailing Address** Tom Robinson
22 Stonington Place
Kennebunk ME 04043

**APPLICANT'S Name and Mailing Address** Tom Robinson
22 Stonington Place
Kennebunk ME 04043

**Is applicant same operator as prior year?** ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| **DEPARTMENT** | **DATE** | **INITIALS** |
| Zoning/Land Use | ✓ 5/8/12 | |
| Building Structural | | |
| Electrical | ✓ 3/19/12 | |
| Plumbing | ✓ 3/8/12 | |
| Fire | ✓ 2/6/12 | Email |
| Tax Collector | ✓ 2/1/12 | Email |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

**MAP/LOT:** ~~[illegible]~~ 0094-0069B
**License Year:** 2012 Rt. 1-2
**No. Of Seats:** 8-12
**No. Of Parking Spaces:** 22

**New License (One Time $30 Fee):** YES (NO)

**License Renewal:** (YES) NO

**Bed and Breakfast License:** # of Rooms N/A 1

**Hotel/Motel with Cooking Facilities:** # of Rooms Ø

**Is Your Establishment Closed for More Then 120 Consecutive Days?** YES (NO)

**REQUESTING THE FOLLOWING LICENSES:**
✓ $25.00 Victualers
✓ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): _____

___ Bed and Breakfast ($10 Per Room): Total _____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total _____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

12/29/11
Date

[signature]
Applicant's Signature

**Please Read and Initial the Following Statements:**
✓ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
✓ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
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✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature [signature] Business Manager Signature (If Applicable) _____

12/29/11
Date

_____
Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $100.00 RECEIPT NO. CK 10208 RECEIPT DATE 1/4/12 SS MI PM MM MS 1/5/12

cc'd: Fire ✓
Clerk ✓
Code ✓

1/5/12: s/w Tom Robinson
He will provide copies
of State licenses
(Seafood market &
Liquor)

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

**Business Name** York Lobster & Seafood
**Business Location** 855 US Route 1 York ME 03909

**Telephone Number** 207 363-5000

**OWNER'S Name and Mailing Address** Tom Robinson
22 Stonington Place
Kennebunk ME 04043

**APPLICANT'S Name and Mailing Address** Tom Robinson
22 Stonington Place
Kennebunk ME 04043

**Is applicant same operator as prior year?** ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| **DEPARTMENT** | **DATE** | **INITIALS** |
| Zoning/Land Use | | |
| Building Structural | 8 MARCH 12 | K Alwen |
| Electrical | 19 MARCH 12 | K Alwen |
| Plumbing | 8 MARCH 12 | K Alwen |
| Fire | | |
| Tax Collector | | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

**MAP/LOT:** ~~[illegible]~~ 0094-0069B
**License Year:** 2012 Pt. 1-2
**No. Of Seats:** 8-12
**No. Of Parking Spaces:** 22

**New License (One Time $30 Fee):** YES (NO)

**License Renewal:** (YES) NO

**Bed and Breakfast License**: # of Rooms N/A 1

**Hotel/Motel with Cooking Facilities**: # of Rooms Ø

**Is Your Establishment Closed for More Then 120 Consecutive Days?** YES (NO)

**REQUESTING THE FOLLOWING LICENSES:**
✓ $25.00 Victualers
✓ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):

___ Bed and Breakfast ($10 Per Room): Total ___

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total ___

Have you ever been convicted of a Felony? YES (Please Explain) ___ NO X

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

12/29/11
Date

[signature]
Applicant's Signature

**Please Read and Initial the Following Statements:**
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✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature [signature] Business Manager Signature (If Applicable) ___

12/29/11
Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $100.00 RECEIPT NO. CK 10208 RECEIPT DATE 1/4/12 SS MI PM MM MS

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Friday, January 06, 2012 9:54 AM
**To:** Susan Scott
**Subject:** RE: Business License Renewals: Greenleaves Restaurant & York Lobster

Greenleaves is OK, Tom Robinson owes personal property taxes for 2012 ☺

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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**From:** Susan Scott
**Sent:** Thursday, January 05, 2012 2:11 PM
**To:** David K. Bridges; David Apgar; Christopher Balentine; Mary-Anne Szeniawski
**Subject:** Business License Renewals: Greenleaves Restaurant & York Lobster

Hello again,

Please find the attached license renewals for inspections/approval.

Thanks, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
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# State of Maine

**DEPARTMENT OF PUBLIC SAFETY**
**Bureau of Liquor Licensing**

| License Number | Date of Issue | Date of Expiration |
|---|---|---|
| 1537 | 07/29/2011 | 07/28/2012 |

THIS CERTIFICATE IS VALID ONLY BETWEEN THE DATE ISSUED AND EXPIRATION DATE APPEARING HEREIN. IT MAY BE USED ONLY FOR THE NAMED HOLDER AT THE LOCATION FOR WHICH ISSUED.

THE PERSON NAMED HEREIN IS AUTHORIZED TO SELL OR DISPENSE ALCOHOLIC BEVERAGES WITH ALCOHOLIC CONTENT PERMITTED BY LAW FOR THE PERMITS DESIGNATED BELOW.

THIS CERTIFICATE AND/OR EACH TYPE OF PERMIT REPRESENTED IS SUBJECT TO SUSPENSION, REVOCATION OR CANCELLATION AS AUTHORIZED BY TITLE 28-A OF THE REVISED STATUTES.

**Owner(s):** ROBINSON FISHERIES LLC
**Business:** YORK LOBSTER & SEAFOOD
855 US ROUTE ONE
YORK, ME

| CODE | PERMIT TYPE/DESCRIPTION | FEE |
|---|---|---|
| 1155 | CLASS VI - OFF PREMISE RETAILER, MALT | $200.00 |
| 1176 | CLASS VII - OFF PREMISE RETAILER, WINE | $200.00 |
| 2630 | FILING FEE | 10.00 |

**Total Fees:** $ 410.00

**Every license shall be displayed on the licensed premises in a conspicuous location in that part of the premises where liquor is served or sold, where it can easily be seen.**

*Bureau of Liquor Licensing*

John E Morris

Commissioner

**License fee is non-refundable**

ROBINSON FISHERIES LLC
855 US ROUTE ONE
YORK, ME 03909

# STATE OF MAINE
# MAINE REVENUE SERVICES

*THIS REGISTRATION CERTIFICATE FOR A*

## RETAILER

*is issued under the provisions of MRSA, Title 36, Part 3, §1754-B to:*

ROBINSON FISHERIES LLC
D/B/A YORK LOBSTER & SEAFOOD
855 US ROUTE 1
YORK ME 03909-5835

**Registration Number:** 1089977

**Date Issued:** APRIL 13 2006

Business Code: 011
Filing Frequency: MONTHLY

Acting State Tax Assessor

This certificate must be conspicuously displayed at the location from which sales are made.

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Wednesday, February 01, 2012 10:59 AM
**To:** Susan Scott
**Subject:** RE: Business License Renewals

1. Paid up – York Lobster
2. Current - Ricks
3. Owes $62.20 – Impakt Sports (that is what the personal property is assessed to at Map 94 Lot 51)

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
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**From:** Susan Scott
**Sent:** Wednesday, February 01, 2012 10:10 AM
**To:** Mary-Anne Szeniawski
**Subject:** Business License Renewals

Hi Mary-Anne,

1. York Lobster & Seafood (0094-0069B) – Are they all paid up now?
2. Rick's All Seasons (0050-0114C) – NEW OWNER: Not sure I sent this one to you for review yet?
3. Seacoast United Sports Club (0094-0051)

Thanks, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

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## Susan Scott

**From:** David Apgar
**Sent:** Monday, February 06, 2012 9:42 AM
**To:** Susan Scott
**Subject:** Inspection Completed - York Lobster and Seafood

Hi Susie,

I have completed a fire inspection at The York Lobster and Seafood take-out. Please proceed with the licensing renewal process.

Thank you,

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

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# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

**Business Name:** SUN N SURF
**Business Location:** 264 LONG BEACH AVE
YORK BEACH, ME 03910
**Telephone Number:** 207-363-2961

**OWNER'S Name and Mailing Address:** RAYMOND RAMSEY
PO BOX 1329
YORK BEACH, ME 03910

**APPLICANT'S Name and Mailing Address:** SAME

**Is applicant same operator as prior year?** ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | | |
| Building Structural | ✓ 3/22/12 | |
| Electrical | | |
| Plumbing | | |
| Fire | | |
| Tax Collector | ✓ 3/14/12 | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

**MAP/LOT:** 36/97 RES-7 SS
**License Year:** 2012
**No. Of Seats:** 150 INSIDE; 150 OUTSIDE
**No. Of Parking Spaces:** _____

**New License (One Time $30 Fee):** ☐ YES ☑ NO

**License Renewal:** ☑ YES ☐ NO

**Bed and Breakfast License**: # of Rooms_____

**Hotel/Motel with Cooking Facilities**: # of Rooms_____

**Is Your Establishment Closed for More Then 120 Consecutive Days?** ☐ YES ☑ NO

**REQUESTING THE FOLLOWING LICENSES:**
X $25.00 Victualers
X $25.00 Liquor
X $25.00 Special Amusement
___$25.00 Bottle Club
___$25.00 Theater
___$25.00 Dance Hall
___Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):
_____

___Bed and Breakfast ($10 Per Room): Total_____

___Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

MARCH 8, 2012
Date

Applicant's Signature

**Please Read and Initial the Following Statements:**

RAR I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
___I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
___I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
___I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
___I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature Raymond A Ramsey

Business Manager Signature (If Applicable)_____

3/10/12
Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $125.00 RECEIPT NO. CK 6293 RECEIPT DATE 3/13/12 SS MI PM MM MS 3/13/12

cc: S Clerk ✓
CEO ✓

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

**Business Name:** SUN N SURF
**Business Location:** 264 LONG BEACH AVE
YORK BEACH, ME 03910
**Telephone Number:** 207-363-2961

**OWNER'S Name and Mailing Address:** RAYMOND RAMSEY
PO BOX 1329
YORK BEACH, ME 03910

**APPLICANT'S Name and Mailing Address:** SAME

**Is applicant same operator as prior year?** ☑ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | 22 MAR 2012 | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | | |
| Tax Collector | | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

**MAP/LOT:** 36/97 RES-7 SS
**License Year:** 2012
**No. Of Seats:** 150 INSIDE; 150 OUTSIDE
**No. Of Parking Spaces:** _____

**New License (One Time $30 Fee):** ☐ YES ☑ NO

**License Renewal:** ☑ YES ☐ NO

**Bed and Breakfast License:** # of Rooms_____

**Hotel/Motel with Cooking Facilities:** # of Rooms_____

**Is Your Establishment Closed for More Then 120 Consecutive Days?** ☐ YES ☑ NO

**REQUESTING THE FOLLOWING LICENSES:**
X $25.00 Victualers
X $25.00 Liquor
X $25.00 Special Amusement
___$25.00 Bottle Club
___$25.00 Theater
___$25.00 Dance Hall
___Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): _____

___Bed and Breakfast ($10 Per Room): Total_____

___Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

MARCH 8, 2012
Date

Applicant's Signature

**Please Read and Initial the Following Statements:**

AR I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
___I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re approval
___I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
___I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
___I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature Raymond A Ramsey

Business Manager Signature (If Applicable)

3/10/12
Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $125.00 RECEIPT NO. CR 6293 RECEIPT DATE 3/13/12 SS MI PM MM MS 3/13/12
Clerk
CEO

**Department of Public Safety**
**Division**

**Liquor Licensing & Inspection**

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

| BUREAU USE ONLY |
|---|
| License No. Assigned: |
| Class: |
| Deposit Date: |
| Amt. Deposited: |

**PRESENT LICENSE EXPIRES:** 4/12/2012

**INDICATE TYPE OF PRIVILEGE:** ☐ MALT ☐ SPIRITUOUS ☐ VINOUS

**INDICATE TYPE OF LICENSE:**

☑ RESTAURANT (Class I,II,III,IV)
☐ HOTEL-OPTIONAL FOOD (Class I-A)
☐ CLASS A LOUNGE (Class X)
☐ CLUB (Class V)
☐ TAVERN (Class IV)
☐ RESTAURANT/LOUNGE (Class XI)
☐ HOTEL (Class I,II,III,IV)
☐ CLUB-ON PREMISE CATERING (Class I)
☐ GOLF CLUB (Class I,II,III,IV)
☐ OTHER: _____

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

| | |
|---|---|
| **1. APPLICANT(S)** –(Sole Proprietor, Corporation, Limited Liability Co., etc.)<br>RAYMOND A RAMSEY **DOB:** 8/14/52 | **2. Business Name (D/B/A)**<br>SUN N SURF OF YORK, INC |
| **DOB:** | |
| **DOB:** | **Location (Street Address)**<br>264 LONG BEACH AVE |
| **Address**<br>PO BOX 1329 | **City/Town** YORK BEACH **State** ME **Zip Code** 03910 |
| | **Mailing Address**<br>PO BOX 1329 |
| **City/Town** YORK BEACH **State** ME **Zip Code** 03910 | **City/Town** YORK BEACH **State** ME **Zip Code** 03910 |
| **Telephone Number** 207-363-5112 **Fax Number** 207-363-6753 | **Business Telephone Number** 207-363-2961 **Fax Number** 206-363-0073 |
| **Federal I.D. #** 01-0368442 | **Seller Certificate #** 5470 |

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS $_____ FOOD $_____ LIQUOR $_____
5. Is applicant a corporation, limited liability company or limited partnership? YES ☐ NO ☐
   If YES, complete Supplementary Questionnaire.
6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☐
7. If manager is to be employed, give name: _____
8. If business is NEW or under new ownership, indicate starting date: N/A
   Requested inspection date: _____ Business hours: _____
9. Business records are located at: SUN N SURF 264 LONG BEACH AVE, YORK BEACH, ME 03910
10. Is/are applicants(s) citizens of the United States? YES ☑ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☑ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

| Name in Full (Print Clearly) | DOB | Place of Birth |
|---|---|---|
| RAYMOND A RAMSEY | 8/14/52 | ROCHESTER, NH |
| | | |
| | | |

Residence address on all of the above for previous 5 years (Limit answer to city & state

YORK BEACH, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES ☐ NO ☑

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☑ If **Yes**, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☑ NO ☐

16. Does/do applicant(s) own the premises? Yes ☑ No ☐ If **No** give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) SUN N SURF RESTAURANT

DINING ROOM AND OUTSIDE DECK

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☑ NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? TWO MILES Which of the above is nearest? SCHOOL

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☑

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: YORK BEACH, ME (Town/City, State) on 8TH OF MARCH (Date), 2012

**Please sign in blue ink**

_____ Signature of Applicant or Corporate Officer(s)

_____ Signature of Applicant or Corporate Officer(s)

_____ Print Name

_____ Print Name

## NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

## THIS APPROVAL EXPIRES IN 60 DAYS.

## FEE SCHEDULE

**Class I** Spirituous, Vinous and Malt ..... $ 900.00
**CLASS I:** Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

**Class I-A** Spirituous, Vinous and Malt, Optional Food (Hotels Only) ..... $1,100.00
**CLASS I-A:** Hotels only that do not serve three meals a day.

**Class II** Spirituous Only ..... $ 550.00
**CLASS II:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

**Class III** Vinous Only ..... $ 220.00
**CLASS III:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

**Class IV** Malt Liquor Only ..... $ 220.00
**CLASS IV:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

**Class V** Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) ..... $ 495.00
**CLASS V:** Clubs without catering privileges.

**Class X** Spirituous, Vinous and Malt – Class A Lounge ..... $2,200.00
**CLASS X:** Class A Lounge

**Class XI** Spirituous, Vinous and Malt – Restaurant Lounge ..... $1,500.00
**CLASS XI:** Restaurant/Lounge; and OTB.

**FILING FEE** ..... $ 10.00

**UNORGANIZED TERRITORIES** $10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164**. Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

## STATE OF MAINE

Dated at: _____, Maine _____ss
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the

☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and herby approve said application.

_____ _____

_____ _____

_____ _____

## THIS APPROVAL EXPIRERS IN 60 DAYS

## NOTICE – SPECIAL ATTENTION

**§ 653. Hearings; bureau review; appeal**

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
   - **A.** The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
   - **B.** The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
   - **C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
   - **A.** Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
   - **B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
   - **C.** Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
   - **D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
   - **E.** A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
   - **F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
   - **A.** [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receUpon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

STATE OF MAINE
**Liquor Licensing & Inspection Unit**
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

## SUPPLEMENTARY QUESTIONAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. **Exact Corporate Name:** SUN N SURF OF YORK, INC

   **Business D/B/A Name:** _____

2. **Date of Incorporation:** FEBRUARY 1980

3. **State in which you are incorporated:** MAINE

4. **If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:**
   _____

5. **List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:**

| Name | Address Previous 5 Years | Birth Date | % of Stock | Title |
|---|---|---|---|---|
| RAYMOND A RAMSEY | PO BOX 1329, YORK BEACH, ME | 8/14/52 | 100 | PRESIDENT |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

6. **What is the amount of authorized stock?**_____ **Outstanding Stock?**_____

7. **Is any principal officer of the corporation a law enforcement official?** **YES** ☐ **NO** ☑

8. **Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States?** **YES** ☐ **NO** ☑

9. **If yes, please complete the following: Name:** _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

**Dated at:** YORK BEACH, ME **On:** 8TH OF MARCH 2012
**City/Town** **Date**

_____ **Date:** _____
**Signature of Duly Authorized Officer**

_____
**Print Name of Duly Authorized Officer**

STATE OF MAINE
**Liquor Licensing & Inspection Unit**
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

## SUPPLEMENTARY QUESTIONAIRE FOR CLUB APPLICANTS

1. **Exact Club Name:**_____

2. **Title, name, birth date and telephone number of each principal officer of the club:**

| Title | Name | Birth Date | Telephone # |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

3. **Date Club was incorporated:** _____

4. **Purpose of Club: ( ) Social ( )Recreational ( ) Patriotic ( ) Fraternal**

5. **Date regular meetings are held:** _____

6. **Date of election of Club Officers:** _____

7. **Date elected officers are installed:** _____

8. **Total Membership:** _____ **Annual Dues:** _____ **Payable When:** _____

9. **Does the Club cater to the public or to groups of non-members on the premises? ( ) YES ( ) NO**

10. **Excluding salaries, will any person other than the Club, receive any of the financial profits from the sale of liquor?**

    **YES ☐ NO ☐**

11. **If a manager or steward is employed, complete the following:**

**Name:**_____ **Date of Birth:** _____

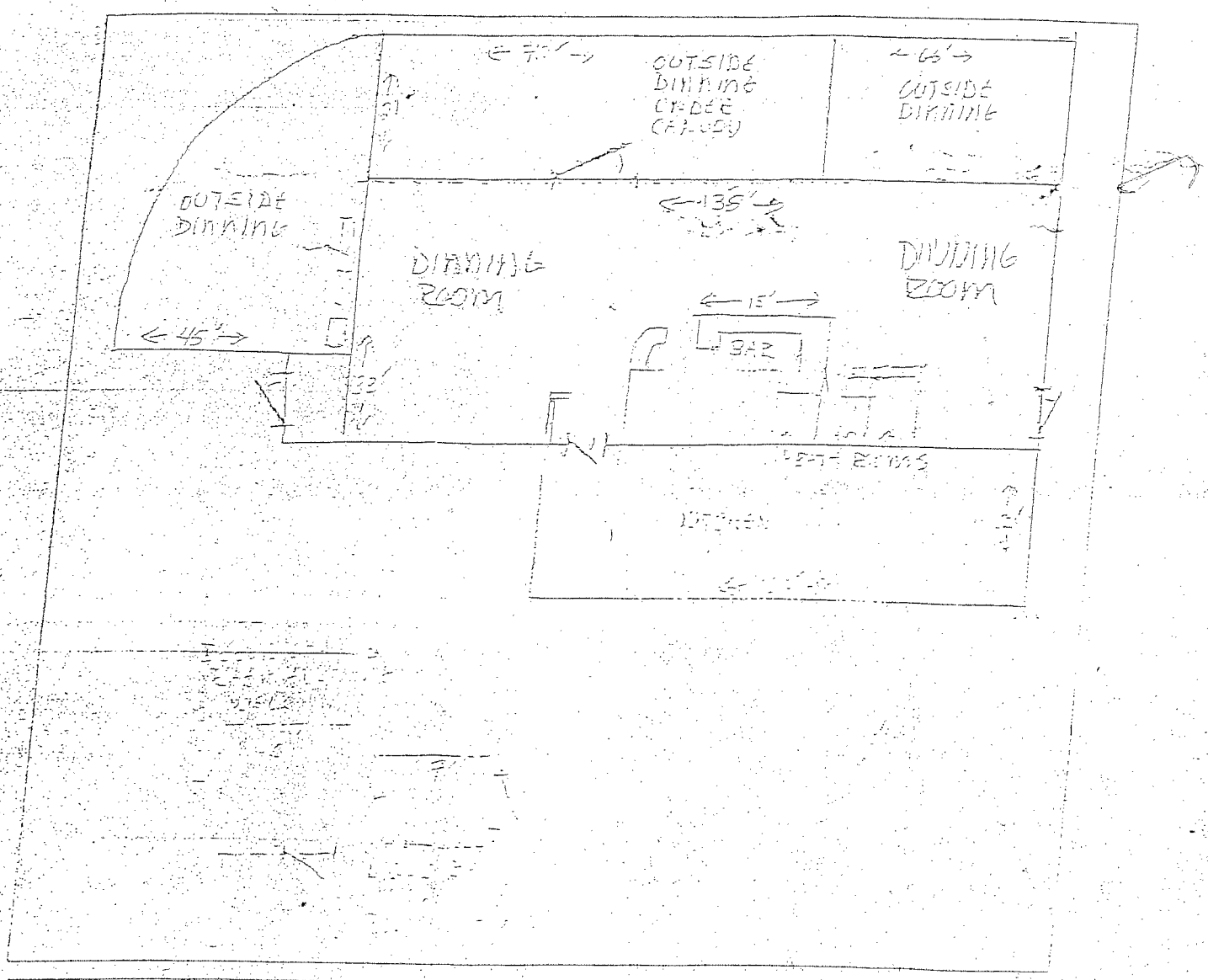
_____
**Signature and Title of Club Officer**

_____
**Print Name and Title of Club Officer**

# *SUPPLEMENTAL APPLICATION FORM*
# *ON-PREMISE DIAGRAM*

In an effort to clearly define your licensed premise and the areas that consumption and storage of liquor is allowed, The Bureau of Liquor Enforcement is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Bureau for liquor consumption.

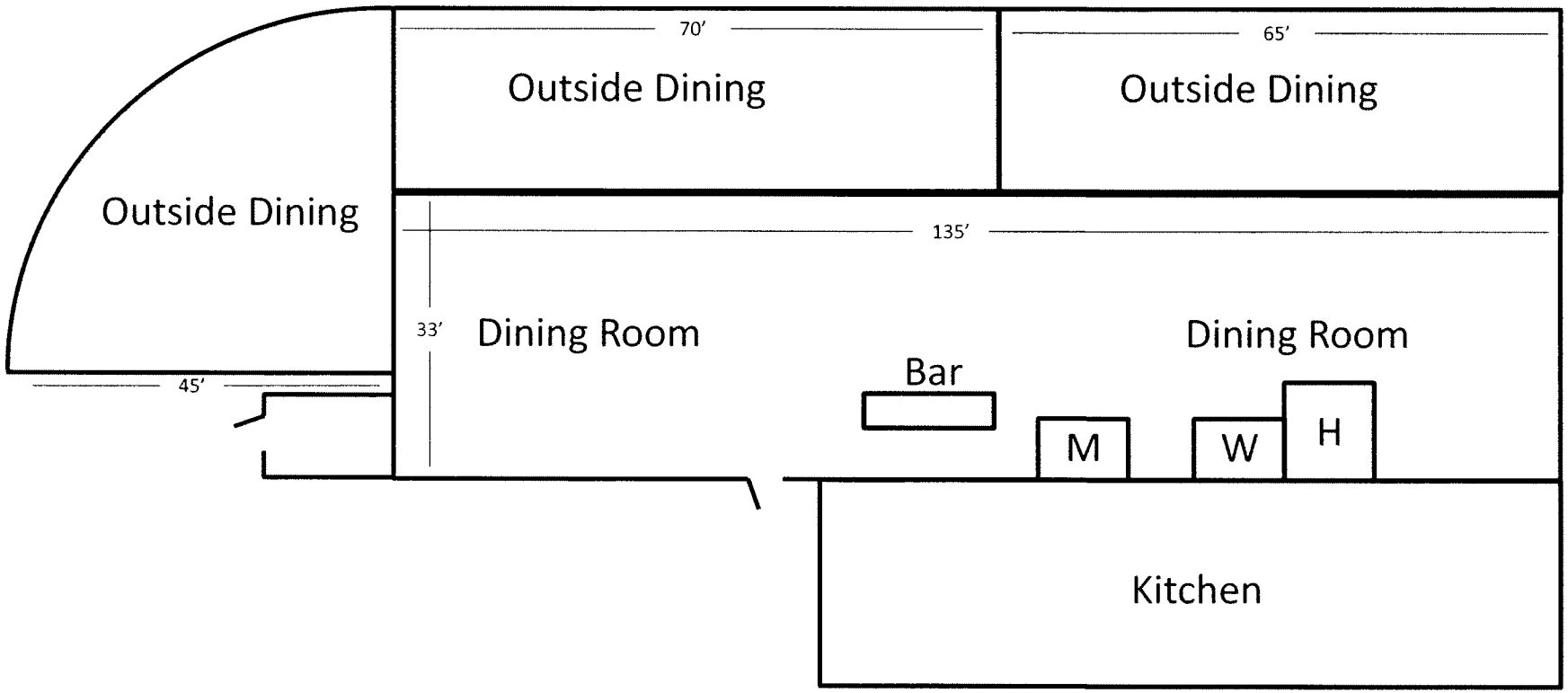




OFFICES LOCATED AT 342 WATER STREET GARDINER, MAINE 03345

(207) 624-8745 (Voice) (207) 624-4478 (TDD) (207) 624-8767 (Fax)

# SUN N SURF PREMISE DIAGRAM



# State of Maine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

**EST ID: 4995**

**EATING PLACE >75 SEATS**

250 Seats (indoors)

SUN & SURF
264 LONG BEACH AVE
RT 1A
YORK ME 03909

RAMSEY, RAY
SUN & SURF
PO OBX 1329
YORK BEACH ME 03910

EXPIRES: 06/29/2012

FEE: $210.00

Mary C. Mayhew
COMMISSIONER

NON-TRANSFERABLE

07682

▽ DETACH HERE ▽

- *THIS CARD TO BE CARRIED ON THE PERSON.*
  *THESE LICENSES VOID UNLESS VALIDATED.*

DETACH ALONG DOTTED LINES

EXPIRATION DATE ▶

Please be aware that smoking is now prohibited in outdoor eating areas, where food or drink is served to the public for consumption on the premises, 24 hrs. per day, 365 days per year. For free signs, please contact your local Healthy Maine Partnership at www.healthymainepartnerships.org, or call 207 287 4626.

# State of Maine

**DEPARTMENT OF PUBLIC SAFETY**
**Bureau of Liquor Licensing**

| License Number | Date of Issue | Date of Expiration |
|---|---|---|
| 5470 | 04/13/2011 | 04/12/2012 |

THIS CERTIFICATE IS VALID ONLY BETWEEN THE DATE ISSUED AND EXPIRATION DATE APPEARING HEREIN. IT MAY BE USED ONLY FOR THE NAMED HOLDER AT THE LOCATION FOR WHICH ISSUED.

THE PERSON NAMED HEREIN IS AUTHORIZED TO SELL OR DISPENSE ALCOHOLIC BEVERAGES WITH ALCOHOLIC CONTENT PERMITTED BY LAW FOR THE PERMITS DESIGNATED BELOW.

THIS CERTIFICATE AND/OR EACH TYPE OF PERMIT REPRESENTED IS SUBJECT TO SUSPENSION, REVOCATION OR CANCELLATION AS AUTHORIZED BY TITLE 28-A OF THE REVISED STATUTES.

**Owner(s):** SUN N' SURF OF YORK, INC.
**Business:** SUN N' SURF
264 LONG SANDS RD
YORK BEACH, ME

| CODE | PERMIT TYPE/DESCRIPTION | FEE |
|---|---|---|
| 1101 | CLASS I - SPIRIT, VINOUS, AND MALT - CLASS "A" RESTAURANT | $900.00 |
| 2630 | FILING FEE | 10.00 |

**Total Fees:** $ 910.00

**Every license shall be displayed on the licensed premises in a conspicuous location in that part of the premises where liquor is served or sold, where it can easily be seen.**

*Bureau of Liquor Licensing*

John E Morris

Commissioner

**License fee is non-refundable**

SUN N' SURF OF YORK, INC.
P.O. BOX 1329
YORK BEACH, ME 03910

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Wednesday, March 14, 2012 9:18 AM
**To:** Susan Scott
**Subject:** RE: Business License Renewal Applications: 9

Susie,
All are up to date with their personal property except

York House of Pizza owes $49.19 as of 3/31/12
York Harbor Inn owes $1,379.59 as of 3/31/12
Harbor Cliffs B & B owes $93.83 as of 3/31/12

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact town@yorkmaine.org. This footnote also confirms that this email message has been checked for the presence of computer viruses.

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**From:** Susan Scott
**Sent:** Tuesday, March 13, 2012 1:53 PM
**To:** David K. Bridges; David Apgar; Christopher Balentine; Mary-Anne Szeniawski
**Subject:** Business License Renewal Applications: 9

Hi,

Please find the following renewal applications for your inspections/approval.

1. York House of Pizza – 274 York Street (Map 50, Lot 117)
2. York Harbor Inn – 480 York Street (Map 58, Lot 6)
3. 1730 Harbor Crest Inn – 378 York Street (Map 57, Lot 66)
4. Harbor Cliffs B&B – 484 York Street (Map 58, Lot 7)
5. Harbor Hill – 472 York Street (Map 58, Lot 4)
6. Kettle Boys Popcorn – 15 Railroad Ave. (Map 23, Lot 3)
7. Shore Road Market – 10 Shore Road (Map 20, Lot 20) – ***NEW OWNER: Phillip Stearns***
8. Windbreaker – 243 Long Beach Ave. (Map 33, Lot 34)
9. Sun n Surf – 264 Long Beach Ave. (Map 36, Lot 97)

Thanks, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

**Please consider the environment before printing this email.**

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

Business Name LONGHORN TRADING COMPANY
Business Location D/B/A WILD WILLY'S BURGERS
765 US RT. ONE YORK, ME
Telephone Number 207-363-9924

OWNER'S Name and Mailing Address JAMES H. WILLIAMS
90 MILL LANE
YORK, ME. 03909

APPLICANT'S Name and Mailing Address JAMES H. WILLIAMS
90 MILL LANE
YORK, ME 03909

Is applicant same operator as prior year? ☒ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | | |
| Building Structural | ✓3/20/12 | |
| Electrical | | |
| Plumbing | | |
| Fire Village Fire | ✓3/19/12 | |
| Tax Collector | ✓ 3/16/12 | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

MAP/LOT: 0094 0013A SS
License Year: 2012 Rt. 1-2
No. Of Seats: ~~55~~ 50
No. Of Parking Spaces: 40 +

New License (One Time $30 Fee): YES (NO)

License Renewal: (YES) NO

Bed and Breakfast License: # of Rooms N/A

Hotel/Motel with Cooking Facilities: # of Rooms N/A

Is Your Establishment Closed for ~~More~~ Then 120 Consecutive Days? YES (NO)

REQUESTING THE FOLLOWING LICENSES:
✓ $25.00 Victualers
✓ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): N/A

___ Bed and Breakfast ($10 Per Room): Total ___

___ ~~Hotel~~/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total ___

Have you ever been convicted of a Felony? YES (Please Explain) ___ NO ✓

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

March 12, 2012 — Date
James H Williams — Applicant's Signature

**Please Read and Initial the Following Statements:**

___ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
___ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
___ I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
___ I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
___ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature James H Williams — Business Manager Signature (If Applicable) ___

Date — Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $ 100 - RECEIPT NO CK: 4033 RECEIPT DATE 3/16/12 SS MI PM MM MS 3/16/12:
cc: Clerk ✓
CEO ✓

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

Business Name LONGHORN TRADING COMPANY
Business Location D/B/A WILD WILLY'S BURGERS
765 US RT. ONE YORK, ME
Telephone Number 207-363-9924

OWNER'S Name and Mailing Address JAMES H. WILLIAMS
90 MILL LANE
YORK, ME. 03909

APPLICANT'S Name and Mailing Address JAMES H. WILLIAMS
90 MILL LANE
YORK, ME. 03909

Is applicant same operator as prior year? ☒ Yes ☐ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | 12 MARCH 12 | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire Village Fire | | |
| Tax Collector | ✓ 3/16/12 | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

MAP/LOT: 0094 0013A SS
License Year: 2012 Rt. 1-2
No. Of Seats: ~~55~~ 50
No. Of Parking Spaces: 40 +

New License (One Time $30 Fee): YES (NO)

License Renewal: (YES) NO

Bed and Breakfast License: # of Rooms N/A

Hotel/Motel with Cooking Facilities: # of Rooms N/A

Is Your Establishment Closed for ~~More~~ Then 120 Consecutive Days? YES (NO)

REQUESTING THE FOLLOWING LICENSES:
✓ $25.00 Victualers
✓ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): N/A

___ Bed and Breakfast ($10 Per Room): Total ___

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total ___

Have you ever been convicted of a Felony? YES (Please Explain) ___ NO ✓

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

March 12, 2012 — Date
James H Williams — Applicant's Signature

**Please Read and Initial the Following Statements:**

___ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
___ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
___ I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
___ I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
___ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature James H Williams
Business Manager Signature (If Applicable) ___

Date ___
Town Manager for the Board of Selectmen ___

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $ 100 - RECEIPT NO CK: 4033 RECEIPT DATE 3/16/12 SS MI PM MM MS 3/16/12
cc: Clerk ✓
CEO ✓
Fire ✓

# Department of Public Safety
# Liquor Licensing & Inspection Division

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

| BUREAU USE ONLY |
|---|
| License No. Assigned: |
| Class: |
| Deposit Date: |
| Amt. Deposited: |

**PRESENT LICENSE EXPIRES** _____

**INDICATE TYPE OF PRIVILEGE:** (X) MALT ☐ SPIRITUOUS (X) VINOUS

**INDICATE TYPE OF LICENSE:**

(X) RESTAURANT (Class I,II,III,IV)
☐ HOTEL-OPTINONAL FOOD (Class I-A)
☐ CLASS A LOUNGE (Class X)
☐ CLUB (Class V)
☐ TAVERN (Class IV)
☐ RESTAURANT/LOUNGE (Class XI)
☐ HOTEL (Class I,II,III,IV)
☐ CLUB-ON PREMISE CATERING (Class I)
☐ GOLF CLUB (Class I,II,III,IV)
☐ OTHER: _____

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

| | |
|---|---|
| **1. APPLICANT(S)** –(Sole Proprietor, Corporation, Limited Liability Co., etc.) JAMES H. WILLIAMS **DOB:** 8/4/44 | **2. Business Name (D/B/A)** LONGHORN TRADING COMPANY |
| MEREDITH I WILLIAMS **DOB:** 9/19/42 | D/B/A Wild Willy's Burgers |
| **DOB:** | **Location (Street Address)** 765 US RT ONE |
| **Address** 90 Mill LANE | **City/Town** YORK **State** ME **Zip Code** 03909 |
| | **Mailing Address** 765 US RT ONE |
| **City/Town** YORK **State** ME **Zip Code** 03909 | **City/Town** YORK **State** ME **Zip Code** 03909 |
| **Telephone Number** 207-363-1542 **Fax Number** | **Business Telephone Number** 207-363 9924 **Fax Number** |
| **Federal I.D. #** 20-1806854 | **Seller Certificate #** 1080524 |

3. If premises is a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS $ 0 FOOD $ 710.44 LIQUOR $ 19,500
5. Is applicant a corporation, limited liability company or limited partnership? YES (X) NO ☐
complete Supplementary Questionnaire ,If YES
6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO (X)
7. If manager is to be employed, give name: JAMES P. WILLIAMS
8. If business is NEW or under new ownership, indicate starting date: ——
Requested inspection date: —— Business hours: ——
9. Business records are located at: 765 US RT ONE YORK, ME. 03909
10. Is/are applicants(s) citizens of the United States? YES (X) NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☑ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

| Name in Full (Print Clearly) | DOB | Place of Birth |
|---|---|---|
| ① JAMES H. WILLIAMS | 8/9/44 | FARMINGTON, ME. |
| ② MEREDITH I WILLIAMS | 9/19/42 | N. ATTLEBORO, MA |
| ③ JAMES P. WILLIAMS | 12/9/67 | BRISTOL, PA. |

Residence address on all of the above for previous 5 years (Limit answer to city & state

1&2 - 90 MILL LANE YORK ME

3 - 80 MILL LANE YORK ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then minor traffic violations, of any State of the United States? YES ☐ NO ☑

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes ☐ No ☑ If **Yes**, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☑ NO ☐

16. Does/do applicant(s) own the premises? Yes ☑ No ☐ If **No** give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) SEE DIAGRAM

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES ☑ NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2 MILES Which of the above is nearest? CHURCH

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☑

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to $2,000 or both."

Dated at: YORK, ME. (Town/City, State) on MARCH 12 (Date), 20 12

**Please sign in blue ink**

James H Williams
Signature of Applicant or Corporate Officer(s)

JAMES H. WILLIAMS
President

Meredith I Williams
Signature of Applicant or Corporate Officer(s)

MEREDITH I WILLIAMS
SECRETARY

Print Name Print Name

## NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

## THIS APPROVAL EXPIRES IN 60 DAYS.

## FEE SCHEDULE

**Class I** Spirituous, Vinous and Malt ..... $ 900.00
**CLASS I:** Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

**Class I-A** Spirituous, Vinous and Malt, Optional Food (Hotels Only) ..... $1,100.00
**CLASS I-A:** Hotels only that do not serve three meals a day.

**Class II** Spirituous Only ..... $ 550.00
**CLASS II:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

**Class III** Vinous Only ..... $ 220.00
**CLASS III:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

**Class IV** Malt Liquor Only ..... $ 220.00
**CLASS IV:** Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

**Class V** Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) ..... $ 495.00
**CLASS V:** Clubs without catering privileges.

**Class X** Spirituous, Vinous and Malt – Class A Lounge ..... $2,200.00
**CLASS X:** Class A Lounge

**Class XI** Spirituous, Vinous and Malt – Restaurant Lounge ..... $1,500.00
**CLASS XI:** Restaurant/Lounge; and OTB.

**FILING FEE** ..... $ 10.00

**UNORGANIZED TERRITORIES** $10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164**. Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

450

## STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the

☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and herby approve said application.

_____ _____

_____ _____

_____ _____

## THIS APPROVAL EXPIRERS IN 60 DAYS

## NOTICE – SPECIAL ATTENTION

**§ 653. Hearings; bureau review; appeal**

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
   - **A.** The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
   - **B.** The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
   - **C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
   - **A.** Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
   - **B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
   - **C.** Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
   - **D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
   - **E.** A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
   - **F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
   - **A.** [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

STATE OF MAINE
**Liquor Licensing & Inspection Unit**
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

**SUPPLEMENTARY QUESTIONAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS**

1. **Exact Corporate Name:** LONGHORN TRADING COMPANY
   **Business D/B/A Name:** WILL WILLY'S BURGERS
2. **Date of Incorporation:** 12/30/04
3. **State in which you are incorporated:** MAINE
4. **If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:** ——
5. **List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:**

| Name | Address Previous 5 Years | Birth Date | % of Stock | Title |
|---|---|---|---|---|
| JAMES H. WILLIAMS | 90 MILL LANE | 8/9/44 | 50 | PRES |
| MEREDITH F WILLIAMS | YORK, ME. | 9/19/42 | 50 | SEC/TREAS |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

6. **What is the amount of authorized stock?** 100 Shares **Outstanding Stock?** 0
7. **Is any principal officer of the corporation a law enforcement official?** ( ) YES (✓) NO
8. **Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States?** ( ) YES (✓) NO
9. **If yes, please complete the following: Name:** _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

**Dated at:** _____ **On:** _____
**City/Town** **Date**

James H Williams **Date:** March 12, 2012
**Signature of Duly Authorized Officer**

JAMES H. WILLIAMS
**Print Name of Duly Authorized Officer**

STATE OF MAINE
**Liquor Licensing & Inspection Unit**
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

## SUPPLEMENTARY QUESTIONAIRE FOR CLUB APPLICANTS

1. **Exact Club Name:** _____

2. **Title, name, birth date and telephone number of each principal officer of the club:**

| Title | Name | Birth Date | Telephone # |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

3. **Date Club was incorporated:** _____

4. **Purpose of Club:** ( ) Social ( )Recreational ( ) Patriotic ( ) Fraternal

5. **Date regular meetings are held:** _____

6. **Date of election of Club Officers:** _____

7. **Date elected officers are installed:** _____

8. **Total Membership:** _____ **Annual Dues:** _____ **Payable When:** _____

9. **Does the Club cater to the public or to groups of non-members on the premises?** ( ) YES ( ) NO

10. **Excluding salaries, will any person other than the Club, receive any of the financial profits from the sale of liquor?**

    ( ) YES ( ) NO

11. **If a manager or steward is employed, complete the following:**

**Name:** _____ **Date of Birth:** _____

N/A

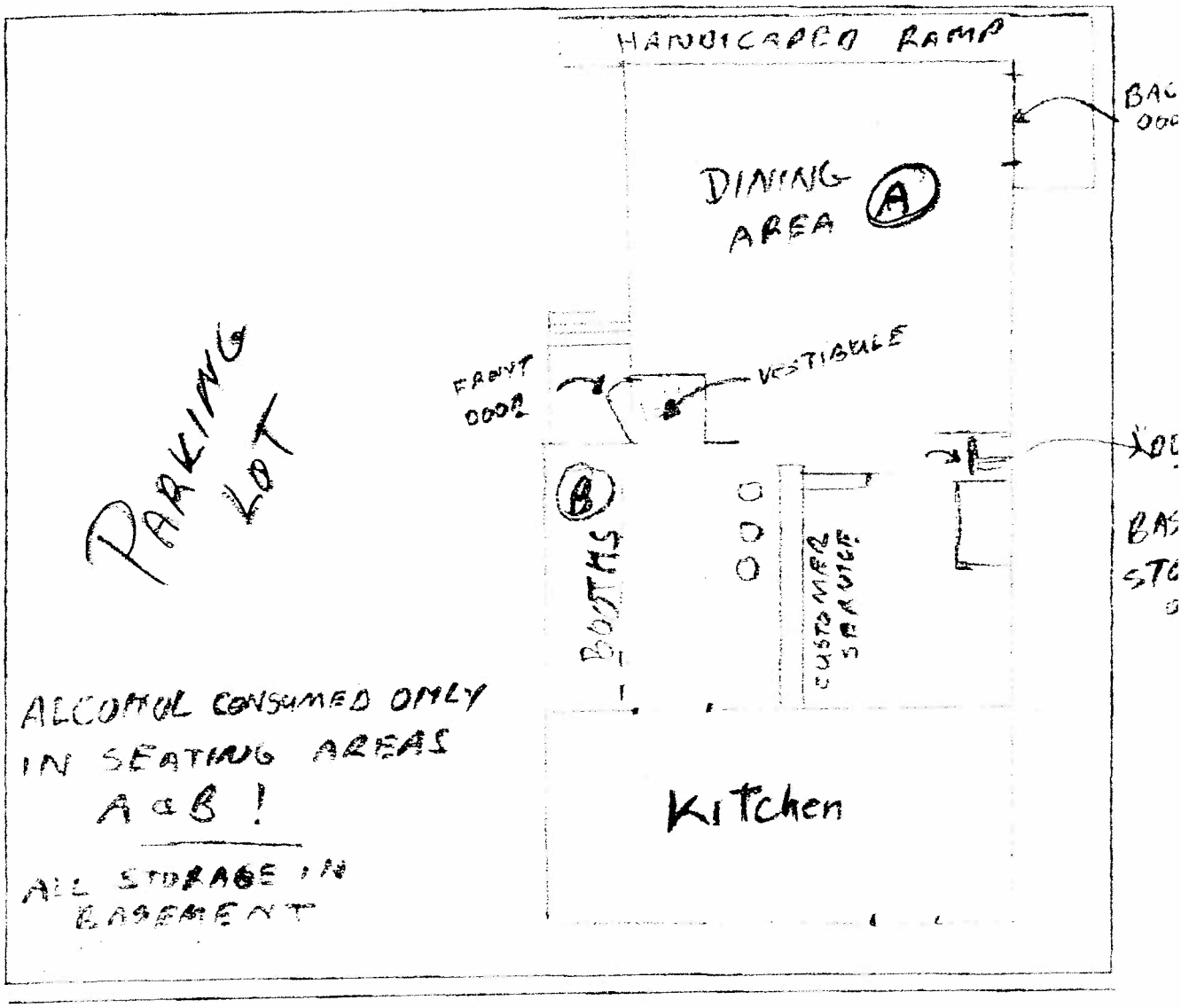
_____
**Signature and Title of Club Officer**

_____
**Print Name and Title of Club Officer**

# *SUPPLEMENTAL APPLICATION FORM*
# *ON-PREMISE DIAGRAM*

In an effort to clearly define your licensed premise and the areas that consumption and storage of liquor is allowed, The Bureau of Liquor Enforcement is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Bureau for liquor consumption.




OFFICES LOCATED AT: 397 WATER STREET GARDINER, MAINE 03345

(207) 624-8745 (Voice) (207) 624-4478 (TDD) (207) 624-8767 (Fax)

## Susan Scott

**From:** Mary-Anne Szeniawski
**Sent:** Friday, March 16, 2012 1:03 PM
**To:** Susan Scott
**Subject:** RE: License Renewal - Wild Willy's

Taxes are all set and there burgers are yummy!

*Mary-Anne Szeniawski*
*Town Clerk/Tax Collector*
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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**From:** Susan Scott
**Sent:** Friday, March 16, 2012 10:34 AM
**To:** David K. Bridges; David Apgar; Christopher Balentine; Mary-Anne Szeniawski
**Subject:** License Renewal - Wild Willy's

Please find attached application.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

**Please consider the environment before printing this email.**
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## Susan Scott

**From:** David Apgar
**Sent:** Monday, March 19, 2012 6:48 PM
**To:** Susan Scott
**Subject:** Inspection Completed - Wild Willy's

Hi Susie,

I have completed a fire inspection at Wild Willy's. Please proceed with the licensing renewal process.

Thank you,

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

Notes:
Remove combustibles 3' around electrical panels and furnace.
Recommend installing smoke detector in basement for advance warning to occupants.

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# State of Maine

**DEPARTMENT OF PUBLIC SAFETY**
**Bureau of Liquor Licensing**

| License Number | Date of Issue | Date of Expiration |
|---|---|---|
| **5909** | **05/24/2011** | **05/23/2012** |

THIS CERTIFICATE IS VALID ONLY BETWEEN THE DATE ISSUED AND EXPIRATION DATE APPEARING HEREIN. IT MAY BE USED ONLY FOR THE NAMED HOLDER AT THE LOCATION FOR WHICH ISSUED

THE PERSON NAMED HEREIN IS AUTHORIZED TO SELL OR DISPENSE ALCOHOLIC BEVERAGES WITH ALCOHOLIC CONTENT PERMITTED BY LAW FOR THE PERMITS DESIGNATED BELOW.

THIS CERTIFICATE AND/OR EACH TYPE OF PERMIT REPRESENTED IS SUBJECT TO SUSPENSION, REVOCATION OR CANCELLATION AS AUTHORIZED BY TITLE 28-A OF THE REVISED STATUTES.

**Owner(s):** LONGHORN TRADING COMPANY
**Business:** WILD WILLY BURGERS
765 US ROUTE ONE
YORK, ME

| CODE | PERMIT TYPE/DESCRIPTION | FEE |
|---|---|---|
| 1132 | CLASS III - VINOUS ONLY - RESTAURANT | $220.00 |
| 1138 | CLASS IV - MALT ONLY - RESTAURANT | $220.00 |
| 2630 | FILING FEE | 10.00 |

**Total Fees:** **$ 450.00**

**Every license shall be displayed on the licensed premises in a conspicuous location in that part of the premises where liquor is served or sold, where it can easily be seen.**

***Bureau of Liquor Licensing***

John E Morris

Commissioner

**License fee is non-refundable**

LONGHORN TRADING COMPANY
765 US ROUTE ONE
YORK, ME 03909

# State of Maine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

**EST ID: 5023**

**EATING PLACE 30-75 SEATS**

49 Seats (in)

EXPIRES: 03/31/2013

FEE: $185.00

LONGHORN TRADING COMPANY
765 US ROUTE 1
YORK ME 03909

Mary C. Mayhew
COMMISSIONER

WILD WILLY'S BURGERS INC.
LONGHORN TRADING COMPANY
765 US ROUTE 1
YORK ME 03909-5834

NON-TRANSFERABLE

06113

* Needs Public Hearing *

# TOWN OF YORK- (186 York Street, York Me 03909)
# BUSINESS LICENSE APPLICATION

DBA Shore Rd. Market/Deli & Restaurant

**Business Name** Stearns Enterprises LLC
**Business Location** 10 Shore Rd
York, ME 03910
**Telephone Number** 207-939-0902

**OWNER'S Name and Mailing Address** ~~Phillip~~ Stearns Enterprises LLC
17 Nicole Rd
York, ME 03909

**APPLICANT'S Name and Mailing Address** Phillip Stearns Sr.
17 Nicole Rd
York, ME 03909

**Is applicant same operator as prior year?** ☐ Yes ☒ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | ✓ 3/15/12 | |
| Tax Collector | ✓ 3/14/12 | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

**MAP/LOT:** 20/20 65
**License Year:** 2012-2013
**No. Of Seats:** 22
**No. Of Parking Spaces:**

**New License (One Time $30 Fee):** (YES) NO

**License Renewal:** YES (NO)

**Bed and Breakfast License**: # of Rooms N/A

**Hotel/Motel with Cooking Facilities**: # of Rooms N/A

**Is Your Establishment Closed for More Then 120 Consecutive Days?** YES (NO)

**REQUESTING THE FOLLOWING LICENSES:**
✓ $25.00 Victualers
___ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): _____

___ Bed and Breakfast ($10 Per Room): Total _____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total _____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

3/9/12 — Date
Phillip Stearns Sr. — Applicant's Signature

**Please Read and Initial the Following Statements:**

PS I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
PS I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
PS I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
PS I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
PS I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature Phillip Stearns Sr. — Business Manager Signature (If Applicable) Phillip Stearns Sr.

3/9/12 — Date
_____ Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $105 - RECEIPT NO. CK: N/A RECEIPT DATE 3/9/12 SS MI PM MM MS 3/13/12
cc'd: Clerk ✓
CEO ✓

**TOWN OF YORK- (186 York Street, York Me 03909)**
**BUSINESS LICENSE APPLICATION**

DBA Shore Rd. Market/Deli & Restaurant

Business Name: Stearns Enterprises LLC
Business Location: 10 Shore Rd, York, ME 03910
Telephone Number: 207-939-0902

OWNER'S Name and Mailing Address: ~~Phillip~~ Stearns Enterprises LLC, 17 Nicole Rd, York, ME 03909

APPLICANT'S Name and Mailing Address: Phillip Stearns Sr, 17 Nicole Rd, York, ME 03909

Is applicant same operator as prior year? ☐ Yes ☒ No

| INSPECTION DATA (Office Use Only) | | |
|---|---|---|
| DEPARTMENT | DATE | INITIALS |
| Zoning/Land Use | | |
| Building Structural | | |
| Electrical | | |
| Plumbing | | |
| Fire | 3/15/12 | DKB |
| Tax Collector | | |

**APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.**

MAP/LOT: 20/20
License Year: 2012-2013
No. Of Seats: 22
No. Of Parking Spaces:

New License (One Time $30 Fee) (YES) NO

License Renewal: YES (NO)

Bed and Breakfast License: # of Rooms N/A

Hotel/Motel with Cooking Facilities: # of Rooms N/A

Is Your Establishment Closed for More Then 120 Consecutive Days? YES (NO)

REQUESTING THE FOLLOWING LICENSES:
✓ $25.00 Victualers
___ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): _____

___ Bed and Breakfast ($10 Per Room): Total _____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total _____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

*I certify the above statements are true and understand false statements may be cause to revoke a license.*

3/9/12 — Date
Phillip Stearns Jr. — Applicant's Signature

**Please Read and Initial the Following Statements:**

PS I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
PS I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re-approval
PS I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
PS I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
PS I understand that I will not be granted re-approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature: Phillip Stearns Jr.
Business Manager Signature (If Applicable): Phillip Stearns Jr.

3/9/12 — Date
_____ Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $105 - RECEIPT NO. CK: N/A RECEIPT DATE 3/9/12 SS MI PM MM MS 3/13/12
cc: Clerk, File, CEO

AGENDA ITEM NUMBER: ____

# REQUEST FOR ACTION BY BOARD OF SELECTMEN

| | |
|---|---|
| **Date Submitted:** 3/22/2012 | **Type of Action:** |
| **Date Action Requested:** 3/26/2012 | ☐ **Procedural** ☐ **Formal Action** |
| **Regular** X **Work Session** __ | ☐ **Other:** _____ |
| **Subject:** Proposed York Beach MPI Grant Improvements. | |

**TO: BOARD OF SELECTMEN**

**FROM: Dean Lessard,** Director of Public Works

**RECOMMENDATION:** Approve the construction of the selected additional infrastructure improvements in conjunction with the Short Sands and Long Beach Drainage projects..

**PROPOSED MOTION: I move to approve DPW to move forward with the construction of the selected additional infrastructure improvements in conjunction with the Short Sands and Long Beach Drainage projects.**

## *Discussion:*

On May 29, 2009 the voters of York approved $800,000 to fund the Short Sands Drainage Improvement project currently under construction. On the same ballot the voters of York approved $400,000 to fund the replacement of the existing Nubble to Long Sands Beach drainage project that is also under construction.

On September 26, 2011 the Board of selectmen reviewed the conceptual plans for the Short Sands and Long Sands Drainage projects. These plans included roadway and pedestrian improvements that would be required to be completed in conjunction with the drainage projects and improvements that would be optional.

On October 24, 2011 the Board of Selectmen approved the required infrastructure improvements with the proposed Drainage projects. The Board of Selectmen agreed to put off the discussion of the optional infrastructure improvements to a future meeting agenda.

On December 19, 2011 the Board of Selectmen awarded the Long Beach and Short Sands Drainage projects to SUR Construction.

On January 11, 2012 the Town of York was informed by Maine DOT that it had been award a $500,000 MPI grant for the Short Sands and Long Beach Drainage and road reconstruction projects.

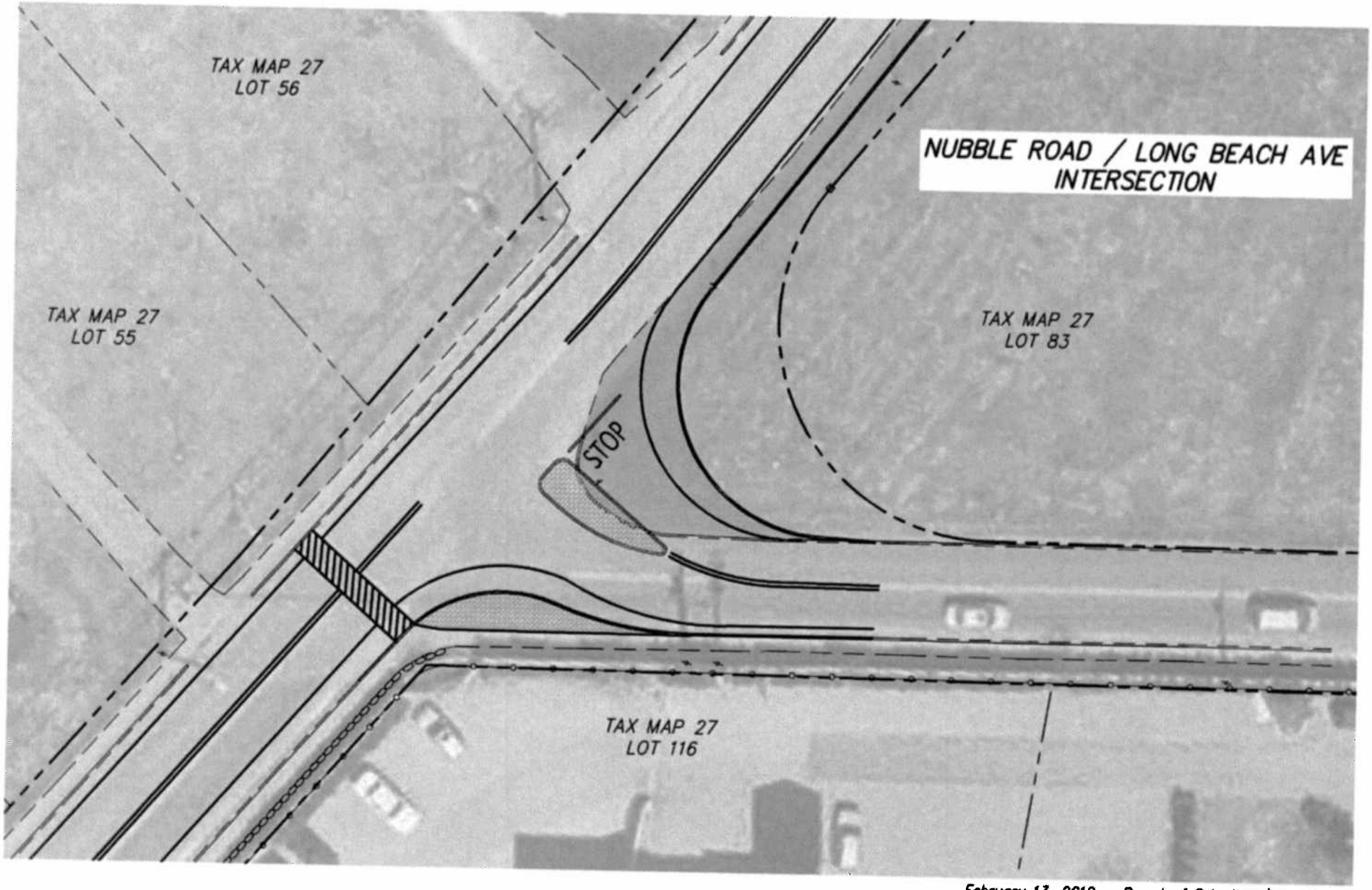
On January 23, 2012 the Board of Selectmen approved the acceptance of the $500,000 MPI grant. On February 8, 2012 the Board of Selectmen approved the DPW to finalize the design of the optional improvements that had been previously discussed and to solicit construction bids. Included are the four plan sheets that show the previously labeled optional infrastructure improvements. These additional improvements that were optional at that time would need to done now because of the additional paving associated with the MPI grant. Also included are construction bids associated with all of the infrastructure improvements. Attached you will find a spreadsheet which reflects these construction bids for each improvement. As referenced above the town was awarded $500,000 in Municipal Participation Initiative (MPI) funding from MDOT, however the total estimated cost for all the improvements is over $600,000. It is recommended that items 1-12 be approved for funding at the current time.

---

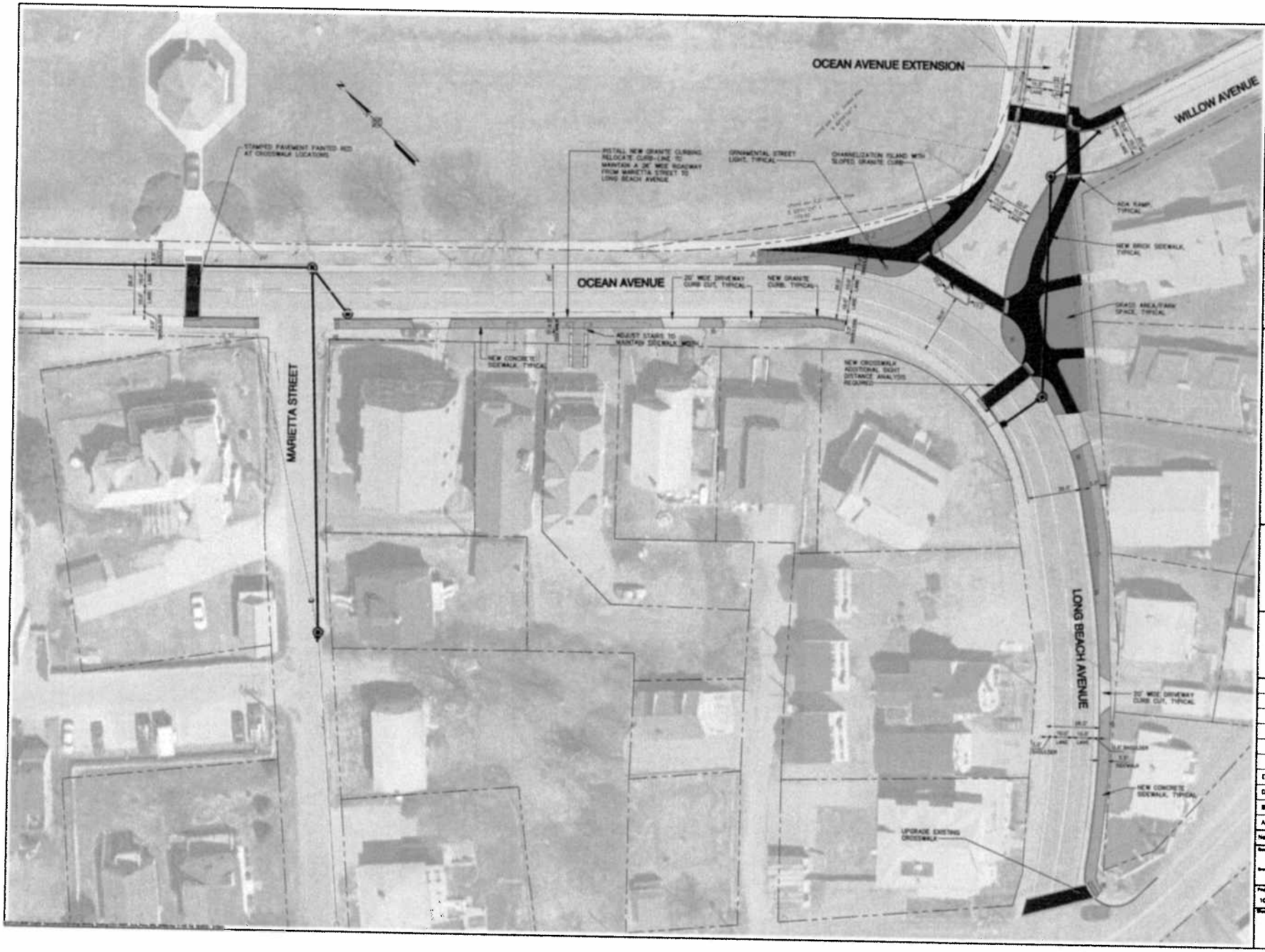
| |
|---|
| **FISCAL IMPACT: $497,500** |
| **DEPARTMENT LINE ITEM ACCOUNT:** |
| **BALANCE IN LINE ITEM IF APPROVED: $2500** |

Prepared By: _____ Reviewed By: Robert M. Yandow

| | Item Description | Item Cost | Running Cost |
|---|---|---|---|
| 1 | Reclaim, Grading, Paving, and New Curb | $245,000 | $245,000 |
| 2 | Pedestrian safe Zone: Railroad Ave - Firestation: | $7,500 | $252,500 |
| 3 | Pedestrian safe Zone: Railroad Ave - Midblock Crossing: | $4,000 | $256,500 |
| 4 | Pedestrian safe Zone: Railroad Ave - Purple Palace: | $15,000 | $271,500 |
| 5 | Install underground conduit and light pole foundations (Railroad & Ocean) | $45,000 | $316,500 |
| 6 | Sidewalk Improvements at Ocean Avenue Marietta Intersection: | $7,000 | $323,500 |
| 7 | Widen Ocean Avenue to 26' from Marietta Street to Long Beach Avenue Intersection: | $18,000 | $341,500 |
| 8 | Ocean Avenue/Long Beach Avenue Intersection Reconfiguration: | $60,000 | $401,500 |
| 9 | Drainage Improvements for the Ocean Avenue/Long Beach Avenue Intersection: | $19,000 | $420,500 |
| 10 | Long Beach Ave/Nubble Road intersection Reconfiguration: | $22,000 | $442,500 |
| 11 | Extend the Sidewalk on Long Beach Avenue from the Ocean Ave to Broadway: | $20,000 | $462,500 |
| 12 | Install the underground conduit and light pole foundations at Long Beach Ave and Ocean ave Ext: | $35,000 | $497,500 |
| 13 | Ornamental Street Lighting (18 lights, same fixture as Beach Street): | $75,000 | $572,500 |
| 14 | Reroute 3-Phase Power down Franklin Street to Remove two Utility Poles from Ocean Avenue: | $35,000 | $607,500 |




February 13, 2012 – Board of Selectmen's Meeting




YORK BEACH DRAINAGE IMPROVEMENTS
YORK, MAINE

Prepared for
TOWN OF YORK
186 YORK STREET
YORK, MAINE

- VERTICAL GRANITE CURB
- GRANITE CURB TIPDOWN
- FLUSH GRANITE CURB
- YELLOW STRIPING
- WHITE STRIPING
- STORMDRAIN MANHOLE
- CATCH BASIN

CONCEPT ONLY

SCALE
SCALE: 1" = 20'
20 0 10 20

OAK ENGINEERS
400 Commercial Street, Suite 404
Portland, ME 04101
Tel. (207) 772-2004
Fax (207) 772-3246
www.oakengineers.com

OCEAN AVENUE & LONG BEACH AVENUE
Required Infrastructure

| No. | Revision/Issue | Date |
|---|---|---|
| E | TOWN REVIEW | 3/8/12 |
| D | TOWN REVIEW | 2/7/12 |
| B | TOWN REVIEW | 2/1/12 |
| A | TOWN REVIEW | 12/8/11 |

Design by: JM
Drawn by: JM
Checked by: SJB
Approved by: SJB
Project: 104.05061
Date: MAY 2011
Sheet No.

Figure 5

# Notice of Public Hearing
# Board of Selectmen
# Monday, March 26, 2012
# 7:00 PM
# York Public Library

The York Board of Selectmen will conduct a Public Hearing regarding proposed Ordinance amendments to be considered at a May 2012 Special General Referendum, as follows:

1. Public Road Acceptance Ordinance Amendment
2. Emergency Management Ordinance Amendment
3. Fireworks Ordinance
4. Fires on Public Beaches
5. Control of Animal Noise
6. Commercial Bait House Standards

7a. Outside Merchandise Display
7b. Outside Merchandise Display (alternate version)

8. Parking in York Beach Village Center
9. Setback Changes
10. Home Occupations
11. Refine Residential Use Definitions and Standards

Printed copies of the text of these amendments (document dated March 2, 2012) are available at Town Clerk's office in Town Hall, and digital copies are available on the Town's Web page (www.yorkmaine.org).

# Proposed Amendments

to be considered at the

# May 2012 Special General Referendum

## Amendments

1. Public Road Acceptance Ordinance Amendment
2. Emergency Management Ordinance Amendment
3. Fireworks Ordinance
4. Fires on Public Beaches
5. Control of Animal Noise
6. Commercial Bait House Standards

7a. Outside Merchandise Display
7b. Outside Merchandise Display (alternate version)

8. Parking in York Beach Village Center
9. Setback Changes
10. Home Occupations
11. Refine Residential Use Definitions and Standards

NOTE: The highlighted notes throughout these amendments are not part of the amendments, but have been provided to help explain the intent of specific sections. These will be not be added to the ordinances if enacted.



rec'd 3/2/12
May-Ann Sgomarsh

# Amendment #1

## *Public Road Acceptance Ordinance Amendment*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Public Road Acceptance Ordinance** to require a July first effective date for all road acceptance actions.

Statement of Fact: The purpose of this amendment is to ensure that road acceptance does not impose a financial burden on the Town which has not been considered during the prior fiscal year's budget process.

**Amendment:** Insert a new Section 3.H, as follows:

*H. When a road is accepted by the voters, the effective date of road acceptance shall be the next July 1st following the vote.*

Recommended by the Board of Selectmen:

# Amendment #2

*Emergency Management Ordinance Amendment*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Emergency Management Ordinance** to alter the responsibilities of the Town's Emergency Management Director, Town Manager and Board of Selectmen, and to improve clarity of the code's language.

Statement of Fact: The purpose of this amendment is to improve consistency of language within the Ordinance, and to clarify the roles and responsibilities of parties involved in the Town's emergency response system.

**Amendment:** Amend the language of the Ordinance as follows:

## ~~Town of York's~~ Emergency Management Ordinance

**Section 1. Title *and Authority***
This ordinance shall be known and may be cited and referred to as the Town of York's Emergency Management Ordinance. It is authorized by 37B ~~MRSA~~ *M.R.S.* 781 – 834 as may be amended.

**Section 2. Intent and Purpose**

A. It is the intent and purpose of this ordinance to establish an Office that will insure the complete and efficient utilization of all the Town's facilities to combat emergencies and disasters as defined herein.

B. The Town of York's Emergency Management *Office* ~~Agency~~ will be the coordinating agency for all activity in connection with civil emergency preparedness.

C. This ordinance will not relieve any town department of its normal legal responsibilities or authority nor will it adversely affect the work of any volunteer agency organized for relief in disaster emergencies.

D. This ordinance shall be administered in conjunction with the appropriate elements of the ~~Town of York's~~ Emergency Plan ~~as adopted by the municipal officers of the town~~.

## Section 3. Definitions

A. "Emergency Management" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters or catastrophes caused by enemy attacks, sabotage, riots or other hostile action, or by fire, flood, earthquake or other natural or man-made causes. These functions include without limitation, fire fighting, police, medical, health, emergency welfare, rescue, engineering, warning and communications services; evacuation of persons from stricken areas; economic stabilization; allocation of critical materials in short supply; emergency transportation; existing or properly assigned functions of infrastructure protection; other related to civilian protection and additional activities necessary to the preparation for the carrying out of these functions.

B. "Disaster" means the occurrence of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including, but not limited to, fire, flood, earthquake, windstorm, wave action, oil spill, or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, hazardous materials incident, blight, drought, critical material shortage and explosion; said occurrence(s) being of significant scope as to exceed the normal ability of the town's resources to mitigate, respond to or recover from.

C. "Emergency" means any event which threatens to or actually inflicts damage to people or property and which requires immediate action to mitigate, prevent, control, contain or from which normal recovery is beyond the scope of the normal resources of the town.

D. "Emergency Preparedness Forces" shall mean the employees, equipment and facilities of all town departments, boards, and agencies; in addition, the term includes all volunteer personnel, equipment and facilities contributed by or obtained from volunteer persons or agencies.

E. "Emergency Preparedness Volunteer" shall mean any person duly registered, identified, and appointed by the Town of York's Emergency Management Director.

F. "Director" shall mean the *Town of York's Emergency Management* Director ~~of the Town of York's Emergency Management Agency as duly appointed as prescribed in this ordinance~~.

G. *"Office" shall mean the Town of York's Emergency Management Office.*

H. *"Emergency Plan" shall mean the Town of York's Emergency Plan.*

## Section 4. Organization and Operation

A. Organization. The Director is hereby authorized to organize the Office ~~of Emergency Management~~ utilizing to the fullest extent possible the existing departments and agencies of the town.

B. Operation. *The Director* ~~There~~ shall be *the* ~~an~~ executive head of the Office ~~of Emergency Management who shall be known as the Emergency Management Director~~. The Director shall be appointed by the Board of Selectmen. The Director shall head the Office ~~of Emergency Management~~ and shall work under the general supervision of the Town Manager with the concurrence of the Board of Selectmen. In emergency situations, the Director is authorized to hire assistants and employees. Such hires shall be temporary and shall not be considered full-time employees of the Town.

C. Administration. The Director shall administer the Office ~~of Emergency Management~~ in accordance with the provisions of this ordinance, the provisions of the ~~Town of York's~~ Emergency Plan and any other related policies adopted by the *Board of Selectmen* ~~Municipal Officers~~ and the provisions of any applicable state and federal laws and rules which may apply in a particular emergency *situation* ~~situations~~.

## Section 5. Emergency Proclamation.

Whenever a local disaster exists or appears imminent, the *Town Manager* ~~Director, his or her designee~~, or in the event of *his or her* ~~their~~ absence, the Chairperson of the Town of York's Board of Selectmen shall, by proclamation, declare that fact and that an emergency exists in the Town of York. A copy of the proclamation shall be posted in the same manner as a warrant calling a town meeting, with the return to be made by the person posting it and a copy of the proclamation ~~shall be~~ provided to the Town Clerk who shall retain it as a permanent record of the Town.

## Section 6. Emergency Powers and Duties

A. During any period when a local disaster has been proclaimed or when the Governor has proclaimed a disaster pursuant to 37B ~~MRSA~~ *M.R.S.* 742, the Director may promulgate such regulations as *deemed* ~~he may deem~~ necessary to protect life and property and preserve critical resources. Such regulations may include, but are not limited to, the following:

(1) Regulations prohibiting or restricting the movement of vehicles in order to facilitate the work of Emergency Preparedness forces or to facilitate the mass movement of persons from critical areas within the Town.

(2) Regulations pertaining to the movement of persons deemed ~~hazardous or~~ vulnerable to disaster *or at risk.*

(3) Such other regulations as may be necessary to preserve public health and safety.

~~(4) The Board of Selectmen is authorized to compensate volunteer/call personnel for time spent during a declared emergency involving the Town of York.~~

B. The Director may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property of the people and may bind the Town for the fair value thereof.

C. The Director may require emergency services of any Town Officer or employee. If regular Town forces are deemed inadequate, the Director may require the services of such other personnel as can be obtained including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to all privileges and immunities provided by law.

*D. The Board of Selectmen is authorized to compensate volunteer/call personnel for time spent during a declared emergency involving the Town of York.*

**Section 7. Termination of Emergency**

Whenever the *Town Manager* ~~Director or his designee~~, *or in the event of her or his absence, the Chairperson of the Board of Selectmen,* is satisfied that a local emergency or disaster no longer exists, he *or she* shall terminate the emergency proclamation by posting another proclamation so stating. The proclamation shall be posted in the same manner as the original one with a copy to the Town Clerk. Local representatives of the news media shall be advised of the termination of the emergency as soon as is practicable.

**Section 8. Duties of the Director ~~of the Town of York's Emergency Management Agency~~**

~~A.~~ The Director shall be responsible to the *Town Manager* ~~Board of Selectmen~~ in regards to all phases of Emergency Preparedness activity. The Director shall be responsible for planning, coordinating and operating

the Emergency Preparedness activity within the Town. The Director shall maintain liaison with county, state and federal authorities and the authorities of nearby *municipalities* ~~municipalities'~~ to insure the most effective response to an emergency. The duties of the Director shall include but not be limited to the following:

*A.* ~~(1)~~ Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the Town for response in an emergency.

*B.* ~~(2)~~ Development of plans for the immediate use of all the facilities, equipment, manpower and other resources of the Town for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness government services and public utilizes necessary for the public health, safety and welfare.

*C.* ~~(3)~~ Negotiating and concluding voluntary agreements with owners or persons in control of buildings or other property for Emergency Preparedness purposes and identifying suitable buildings for use as public shelters.

*D.* ~~(4)~~ Through use of educational programs, informing the Town's population about Emergency Preparedness matters and advising as to what actions should be taken during an emergency to protect life and property.

*E.* ~~(5)~~ From time to time, conducting public practice alerts and drills to familiarize the Town's population with emergency response procedures.

*F.* ~~(6)~~ Assuming such authority and conducting such activity as the Town Manager or the *Board of Selectmen* ~~Municipal Officers~~ may direct to promote and better execute Emergency Preparedness activities.

**Section 9. Emergency Plan**

*An Emergency Plan shall be adopted annually by the Board of Selectmen. An initial draft Plan shall be prepared by the Director and the Town Manager. The Board of Selectmen may amend this Plan prior to adoption.* ~~The Municipal Officers shall adopt an Emergency Plan upon the recommendation of the Town Manager.~~ The Plan shall complement this Ordinance and shall provide the framework within which Emergency Response activities shall happen.

**Section 10. Violations**

It shall be a violation of this ordinance for any person to obstruct, hinder or delay any member of the Emergency Preparedness *Forces* ~~organization~~ as herein defined in the enforcement of any provision of this ordinance or any regulation promulgated under its authority. Any person, firm or corporation found to have violated any provision of this ordinance or any regulation promulgated under its authority in a court with jurisdiction to act on a complaint from the Town shall be subject to a fine of not more than five hundred dollars ($500) which shall accrue to the Town.

**Section 11. Severability**

Should any provision of this ordinance be declared invalid for any reason by a court with jurisdiction to do so, such a declaration shall not affect the validity of other provisions of this ordinance or the ordinance as a whole it being the legislative intent that the provisions of this ordinance shall be severable and shall remain valid not withstanding such a judicial declaration against one provision.

**Section 12. Conflicting Ordinances, Orders, Policies and Regulations**

At all times during declared periods of emergency, the provisions of this ordinance shall supersede all existing ordinances, orders, policies and regulations insofar as the later may be inconsistent therewith.

**Section 13. Effective Date**

This ordinance shall take effect immediately upon this passage by the voters at an annual or special town meeting in the Town of York.

Recommended by the Board of Selectmen:

# Amendment #3

*Fireworks Ordinance*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains to adopt a new **Fireworks Ordinance**.

Statement of Fact: The purpose of this amendment is to prohibit the use and sale of consumer fireworks within the Town of York in order to protect public health and safety. A new State law makes certain smaller fireworks legal to possess, use and sell in Maine as of January 1, 2012, but permits communities to regulate or prohibit such use or sale.

**Amendment:** adopt a new Ordinance, as follows:

## *Fireworks Ordinance*

### *- DRAFT -*

1. ***Purpose.*** *The purpose of this Ordinance is to control the use and sale of consumer fireworks in order to protect public health, safety and welfare.*

2. ***Authority.*** *The Town has authority to enact an ordinance to prohibit or restrict the sale or use of consumer fireworks per Title 8 M.R.S. §223-A.*

3. ***Definitions.*** *Terms used in this Ordinance shall be those defined in Title 8 M.R.S. §221-A. In addition, the following shall apply.*

   *Consumer Fireworks – has the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provision, but includes only products that are tested and certified by a 3rd-party testing laboratory as conforming with the United States Consumer Product Safety Commission standards, in accordance with 15 United States Code, Chapter 47. "Consumer fireworks" does not include the following products:*

   A. *Missile-type rockets, as defined by the State Fire Marshal by rule;*

   B. *Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and*

   C. *Sky rockets and bottle rockets. For purposes of this paragraph, "sky rockets and bottle rockets" means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability*

*that rise into the air upon ignition and that may produce a burst of color or sound at or near the height of flight.*

*Use – The lighting or other setting off of consumer fireworks.*

4. ***Prohibition.*** *The use and/or sale of consumer fireworks shall be prohibited within the Town of York. (Note that use and sale of fireworks which are not included within the State definition of consumer fireworks, including but not limited to bottle rockets and sky rockets, are expressly prohibited or regulated by State law even though not addressed by this Ordinance. In short, just because you can buy something elsewhere does not mean you can use or sell it in York.)*

5. ***Administration and Enforcement.*** *The York Police Department shall administer and enforce this Ordinance.*

6. ***Penalties.*** *Penalties shall be as follows:*

   A. *Fine – Use of Consumer Fireworks. Use of consumer fireworks in violation of this Ordinance shall be subject to a fine of not less than $100 nor more than $250 plus attorney costs for the first offense, or a fine of not less than $250 nor more than $500 plus attorney costs for each subsequent offense within a 2 year period.*

   B. *Fine – Sale of Consumer Fireworks. Sale of consumer fireworks in violation of this Ordinance shall be subject to a fine of not less than $500 nor more than $1,000 plus attorney costs, for the first offense, or a fine of not less than $1,000 nor more than $2,500 plus attorney costs, for each subsequent offense within a 2 year period.*

   C. *Seizure of Fireworks. The Town may seize consumer fireworks that it has probable cause to believe are to be used or sold in violation of this Ordinance. All fireworks lawfully seized under this Ordinance shall be forfeited to the State per Title 8 M.R.S. §237(2).*

7. ***Appeals.*** *Appeals with respect to this Ordinance shall be taken to York County Superior Court within 30 days.*

8. ***Saving Clause.*** *In the event any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, this finding shall not affect the remainder of this Ordinance.*

9. ***Effective Date.*** *This Ordinance shall take effect on the date of passage by the voters.*

10. ***Copy Provided to the State Fire Marshal.*** *Per Title 8 M.R.S. §223-A(2), the Town Clerk shall file a copy of this Ordinance, and any amendment thereto, with the State Fire Marshal within 60 days of the relevant public vote.*

Recommended by the Board of Selectmen:

_____

# Amendment #4

## *Fires on Public Beaches*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Beach Ordinance** to alter the requirements for fires on public beaches.

Statement of Fact: The purpose of this amendment is to address on-going concerns of the Town's emergency services departments with the standards which apply for fires on public beaches. This amendment would limit fires to Long Sands Beach. It also brings in new restrictions - limits the frequency of fires to not more than 1 every 30 days; requires that the event sponsor of the fire pay in advance for fire and police services; reinforces statutory limits on materials which can be burned; requires the event sponsor to acknowledge the safety limitations associated with hosting a public fire; and strengthens the insurance requirements. Further, the amendment clarifies that, in addition to a permit from the Selectmen, an Open Burning Permit from the Fire Chief is also required.

**Amendment:** Amend Section 2-A, Fires, as follows:

**Section 2-A. Fires**
There shall be no fires of any kind on *Cape Neddick Beach, Harbor Beach or* Short Sands Beach. On *Long Sands Beach* ~~other public beaches~~ there shall be no fires of any kind starting on May 15 and ending on August 15. For the remainder of the year, from August 16 through May 14, a wood fire may be permitted for an organized function only if *both of the following permits are obtained prior to kindling the fire:* ~~all of the following conditions are met:~~

*A.* ***Special Event Permit, from the Board of Selectmen.***
*The following criteria shall apply:*

1. The proceeds of any fundraising or sales must go to a charitable organization as defined in MRSA Title 9 §5003(1);
2. Hours for the fire shall not begin earlier than 5:00 PM and shall not end later than 10:00 PM;
3. The sponsor must clean up all debris after the fire is out, and this shall be completed before 1:00 AM.
4. ~~The sponsor must obtain prior written approval of the Fire Chief with jurisdiction;~~
5. ~~The sponsor must provide evidence of liability insurance for the fire; and~~
6. ~~The sponsor must obtain a Special Event Permit from the Board of Selectmen.~~
4. *Not more than one fire on the beach shall be permitted within any single 30-day period. The first 30-day period shall commence on August 16th, and subsequent periods shall follow immediately upon conclusion of the prior period, with the last terminating on May 14th.*

5. *The sponsor must pay in advance for the provision of Police and Fire services at the event. This shall not apply if the Town itself is the event sponsor, or if the Board of Selectmen decides to waive this requirement. The amount to be paid shall be established by the respective Chiefs. An account shall be made for each Department for deposit of such funds, and the Chief shall have authorization to spend such funds to provide such event services.*
6. *Materials to be burned shall be restricted to those allowed under State law. The event sponsor shall review such requirements with the Fire Chief with jurisdiction.*
7. *At the time of application, the sponsor shall sign a form, to be provided by the Town, which acknowledges the possibility the event might need to be postponed or cancelled for legal safety reasons, and which commits the sponsor to cooperate with Town officials to address crowd control if this occurs.*
8. *The sponsor shall provide insurance in an amount equal to the maximum recovery allowed under the Tort Claims Act ($400,000 as of February 1, 2012, but subject to change if the state law is amended). In addition, the sponsor shall, in writing, agree to indemnify and defend the Town in the event of any legal action resulting from the event. The sponsor shall provide insurance documentation to the Fire Chief as late as noon on the day of the event.*

(NOTE: Advice from Bill Livengood, Esq., of MMA. He indicated the Town would not be liable in most cases (can't offer a 100% guarantee), and the Fire Chief would be OK unless being negligent in issuance of the Open Burning Permit. Both the Town and the Fire Chief are protected under the Tort Claims Act, and damages are essentially capped at $10,000 plus the cost of defense. In his opinion, as long as the Fire Chief exercises reasonable care and is not acting in a negligent manner in issuing the Open Burning Permit, then the Town's exposure is minimal. Factors such as wind conditions, humidity, and other such matters are considered for issuance of all Open Burning Permits. He suggested it would make sense to have the event sponsor obtain insurance for the event, and to agree to indemnify and defend the Town in the event of a law suit. The Town Attorney could provide a standard form to use in this regard. He told me there is a new case coming through the US Court of Appeals which could have some impact on tort liability limits based on insurance coverage, but didn't think this would be a problem for us. In general he thought this was a pretty low risk issue for the community. He also suggested the Town contact its insurance provider if it is the sponsor of a beach fire to ensure our insurance covers the event. )

**B. *Open Burning Permit, from the Fire Chief with Jurisdiction.***

*In addition to the above requirement to obtain a Special Event Permit, State law (Title 12 M.R.S. §9321-6) requires an Open Burning Permit from the Fire Chief prior to kindling a fire on a beach. The issuance of a Special Event Permit from the Board of Selectmen cannot supersede the Chief's jurisdiction in this matter. Open Burning Permits are not issued prior to the day of the event because the Chief is required to consider the weather and other relevant factors on the day of the event. State law also specifies conditions under which the fire would need to be extinguished after being lit. In short, the sponsor of any event to have a fire on the beach will be dealing with some uncertainty up to and even during the event. If a fire must be postponed or extinguished because of such safety concerns, the sponsor of the event must help the Fire Chief explain to attendees the reasons for such action and must encourage people to respect the Chief's decision. Failure of the sponsor to cooperate in this manner shall be a basis for rejecting future applications for Special Event Permits for beach fires.*

Recommended by the Board of Selectmen:

# Amendment #5

*Control of Animal Noise*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Animal Control Ordinance** and the **Noise Ordinance** to control domestic animal noise.

Statement of Fact: The purpose of this amendment is to consolidate two nearly identical standards regarding control of domestic animal noise into one standard in the Animal Control Ordinance. This amendment was requested by the Animal Control Officer in order to establish a single standard with a single enforcement procedure.

**Amendment:** Delete Noise Ordinance standard for control of domestic animal noise, as follows:

**SECTION 4: SPECIFIC PROHIBITIONS**
Activities defined in this Section are declared to be loud, disturbing and/or unnecessary noises regardless of the specific decibels generated.

4.1 *All domestic animal noise issues shall be controlled exclusively through the Animal Control Ordinance.* ~~Owning, possessing or harboring any domestic animal that frequently or for continued duration, makes loud and unreasonable sounds such that it creates a disturbance on other properties shall be prohibited. For the purpose of this Ordinance, a dog that barks, bays, cries, howls or makes any other noise continuously and/or incessantly for a period of ten minutes or barks intermittently for one half hour or more to the disturbance of any person at any time of day or night, regardless of whether the dog is physically situated in or upon private property. However, this shall not include a dog if, at the time the dog is barking or making any other noise, a person is trespassing or threatening to trespass upon private property in or upon which the dog is situated, or for any other legitimate cause which teased or provoked the dog.~~

Amend the animal noise standards of the Animal Control Ordinance as follows:

**Section 8 – Animal Noise**
~~Per the Town of York, Noise Ordinance Section 4 - Specific Prohibition, owning,~~ *Owning,* possessing, or harboring any domestic animal that frequently or for continued duration, makes loud and unreasonable sounds *such* that it creates a disturbance on other properties shall be prohibited. For purposes of this

ordinance, a dog that barks, bays, cries, howls, or makes any other noise continuously and/or incessantly for a period of 10 (ten) minutes or barks intermittently for ½ (one-half) hour or more to the disturbance of any person at any time of day or night, regardless of whether the dog is physically situated in or upon private property. However, this shall not include a dog if, at the time the dog is barking or making any other noise, a person is trespassing or threatening to trespass upon private property in or upon which the dog is situated, or for any other legitimate cause which teased or provoked the dog.

Recommended by the Board of Selectmen:

# Amendment #6

*Commercial Bait House Standards*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Floodplain Management Ordinance** to accommodate bait houses for commercial fishermen.

Statement of Fact: The purpose of this amendment is to remove a size limit which makes impractical new bait houses for commercial fishermen in York Harbor. This amendment is consistent with Comprehensive Plan Goal #7.3 – to provide opportunities for the existing commercial fishing industry to flourish in York. It is not expected to have a significant impact on the cost of Town administration.

**Amendment:** Amend the standards pertaining to bait houses in the coastal floodplains in Article VI, Section P.6, as follows:

a. The conditional use shall be limited to low value structures such as metal or wood sheds 200 square feet or less and shall not exceed more than one story. *In the A or AE zones, the floor area limit shall not apply, but in the event the use as a Lobster Shed or Fishing Shed ceases for 2 or more years then the building shall be razed.*

Recommended by the Harbor Board: 7-0
Recommended by the Planning Board:
Recommended by the Board of Selectmen:

# Amendment #7a

*Outside Merchandise Display*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Zoning Ordinance** to alter the standards for outside storage and outside display of retail goods in the Route One zones.

Statement of Fact: The purpose of this amendment is to more clearly distinguish between outside storage and outside retail display, and to simplify the standards for each in the Route One corridor. This amendment is expressly consistent with Comprehensive Plan policy #3.3.1, which calls for the Town to modify its outside display standards to help support an eclectic mix of small local businesses. It is not expected to have a significant impact on the cost of Town administration.

**Amendment:** Amend §6.3.27 as follows:

**6.3.27 Outside *Retail* Display and Outside Storage for Nonresidential Users**

6.3.27.1 *Outside Storage. Outside storage shall mean the storage in an un-roofed area of products or materials associated with a business activity, and to which access by customers is limited primarily to product or material pick-up only (as opposed to shopping/browsing). In the Route One zones, outside storage shall be allowed as accessory to: any use in the Commercial Use Category; or any use that customarily stores large volumes of loam, gravel, fill, mulch, and other similar materials.* ~~All nonresidential uses, other than a hardware store, lumberyard, garden center, or antique store, in existence on August 14, 1997, that displayed goods for sale outside or stored goods outside, may continue to use the existing location and existing amount of square footage devoted to outside display or outside storage until August 14, 2000. Effective August 15, 2000, the outside display area for such uses shall be limited to a maximum area of 300 square feet. For all nonresidential uses occupying buildings with less than 5,000 square feet of retail space, outside display shall be allowed. The total area devoted to outside display for nonresidential uses occupying buildings with less than 5,000 square feet of retail space shall not exceed a maximum of 1,000 square feet. Outside display expressly refers to merchandise for retail sale, not to storage or sale of raw materials such as but not limited to loam, mulch, gravel, or fertilizer, packaged or in bulk piles.~~ The *outside storage* ~~display~~ area shall meet the minimum setbacks of the zoning district, shall not occur in the bufferyards required in Section 6.3.9, *shall not be located closer to the Route One than the*

*primary structure on the site*, and shall not adversely impact vehicular or pedestrian safety or circulation. ~~Outside storage shall follow the following standards: Effective August 15, 2000, all~~ *All* outside storage ~~of goods~~ shall be screened by a method such as a solid fence a minimum of 6 feet in height, landscaping that provides a good quality visual buffer, or be located behind a building and screened from the view of motorists traveling on Route One. ~~The storage area shall meet the minimum setbacks of the zoning district, shall not occur in the bufferyards required in Section 6.3.9, and shall not adversely impact vehicular or pedestrian safety or circulation in a public way.~~

6.3.27.2 ~~A non-residential use that occupies greater than 5,000 square feet of retail space, not including a hardware store, lumberyard, garden center or antique store, that did not use outside display by August 14, 1997, or that begins operations on or after August 15, 1997, shall be prohibited from displaying goods outside for sale. Such a non-residential use may use outside storage, provided all storage complies with standards identified in 6.3.27.1.~~

*Outside Retail Display. Outside display of retail goods, in an un-roofed area where customers have ready access to such products, shall be allowed as an accessory use to any business with a retail component as follows.*

*A. The total area allowed for outside retail display is:*
   *1. for a property with 2,500 square feet or less of indoor retail space, 1,000 square feet of outside retail display per property; or*
   *2. for a property with more than 2,500 square feet of indoor retail space, 2,000 square feet of outside retail display per property.*

*B. Outside retail display does not need to be screened from view, and parking is not required for such areas.*

*C. Up to 10% of the outside retail display area may be located within the required bufferyards. This area shall be increased to 15% where the posted speed limit on the road in front of the business 50 MPH or faster. This limitation shall not apply to live plants – see §6.3.27.5.*

*D. The outside retail display may not occur within or block designated parking spaces, traffic aisles, or wheelchair-accessible pedestrian ways.*

*E. No component of the display shall be allowed if it would cause a safety risk to motorists, bicyclists or pedestrians because of its size, shape or placement (such as but not limited to objects which block sight distance, are sharp, or are large/immobile and located immediately adjacent to the road). Upon verbal direction from a Code Enforcement Officer, any such problem item shall be removed or relocated immediately.*

*F. Such areas can straddle or cross onto a neighbor's property with that owner's permission.*

*G. Outside retail display which conforms to the standards of this section shall be permitted and shall not require specific permits or approvals from the Town.*

*H. Regarding vehicle display, see §6.3.29.*

*I. Regarding display of live plants, see §6.3.27.5.*

6.3.27.3 *Reserved.* ~~A hardware store, lumberyard, garden center or antique store that occupies greater than 5,000 square feet of retail space, that displayed goods for sale outside or stored goods outside prior to August 14, 1997, may continue to use the existing area(s), both location and square footage, devoted to outside display of goods for sale and outside storage of goods. Any expansion of the outside display or outside storage area(s) must comply with standards identified in Section 6.3.27.1.~~

6.3.27.4 *Reserved.* ~~A hardware store, lumberyard, garden center or antique store that occupies greater than 5,000 square feet of retail space in existence on August 14, 1997 that did not use outside display by August 15, 1997, or that begins operating on or after August 15, 1997, shall be limited to a maximum area of 300 square feet. The display area shall meet the minimum setbacks of the zoning district, shall not occur in the bufferyards required in Section 6.3.9, and shall not adversely impact vehicular or pedestrian safety or circulation in a public way. Outside storage areas shall comply with standards identified in 6.3.27.1.~~

6.3.27.5 A ~~garden center, nursery or commercial~~ business that offers living plant material for sale may display or store any amount of this material outside. Living plant material for sale may be located in the bufferyards required in Section 6.3.9, provided there is the required amount of permanent landscaping identified in Section 6.3.10.

6.3.27.6 A retail use is permitted to display goods for sale at special events, such as a sidewalk sale, tent sale, or similar event, provided such events do not occur for more than a maximum of fifteen days during any calendar year. Sale of holiday season trees, wreaths and boughs is permitted from November 20th through December 25th. All such outside display areas shall adhere to setback requirements of this Ordinance to the greatest extent practical as determined by the Code Enforcement Officer.

Recommended by the Planning Board:
Recommended by the Board of Selectmen:

(NOTE: This version is unchanged from that posted for the prior public hearing.)

# Amendment #7b

*Outside Merchandise Display (Alternate Version)*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Zoning Ordinance** to alter the standards for outside storage and outside display of retail goods in the Route One zones.

Statement of Fact: The purpose of this amendment is to more clearly distinguish between outside storage and outside retail display, and to simplify the standards for each in the Route One corridor. More extensive outside display area will be allowed, but the standards will sunset in 2015 to ensure the Town has the opportunity to refine and adjust this policy as necessary without causing long-term adverse impacts. This amendment is expressly consistent with Comprehensive Plan policy #3.3.1, which calls for the Town to modify its outside display standards to help support an eclectic mix of small local businesses. It is not expected to have a significant impact on the cost of Town administration.

**Amendment:** Amend §6.3.27 as follows:

**6.3.27 Outside *Retail* Display and Outside Storage for Nonresidential Users**

6.3.27.1 *Outside Storage. Outside storage shall mean the storage in an un-roofed area of products or materials associated with a business activity, and to which access by customers is limited primarily to product or material pick-up only (as opposed to shopping/browsing). In the Route One zones, outside storage shall be allowed as accessory to: any use in the Commercial Use Category; or any use that customarily stores large volumes of loam, gravel, fill, mulch, and other similar materials.* ~~All nonresidential uses, other than a hardware store, lumberyard, garden center, or antique store, in existence on August 14, 1997, that displayed goods for sale outside or stored goods outside, may continue to use the existing location and existing amount of square footage devoted to outside display or outside storage until August 14, 2000. Effective August 15, 2000, the outside display area for such uses shall be limited to a maximum area of 300 square feet. For all nonresidential uses occupying buildings with less than 5,000 square feet of retail space, outside display shall be allowed. The total area devoted to outside display for nonresidential uses occupying buildings with less than 5,000 square feet of retail space shall not exceed a maximum of 1,000 square feet. Outside display expressly refers to merchandise for retail sale, not to storage or sale of raw materials such as but not limited to loam, mulch, gravel, or fertilizer, packaged or in~~

~~bulk piles.~~ The *outside storage* ~~display~~ area shall meet the minimum setbacks of the zoning district, shall not occur in the bufferyards required in Section 6.3.9, *shall not be located closer to the Route One than the primary structure on the site,* and shall not adversely impact vehicular or pedestrian safety or circulation. ~~Outside storage shall follow the following standards: Effective August 15, 2000, all~~ *All* outside storage ~~of goods~~ shall be screened by a method such as a solid fence a minimum of 6 feet in height, landscaping that provides a good quality visual buffer, or be located behind a building and screened from the view of motorists traveling on Route One. ~~The storage area shall meet the minimum setbacks of the zoning district, shall not occur in the bufferyards required in Section 6.3.9, and shall not adversely impact vehicular or pedestrian safety or circulation in a public way.~~

6.3.27.2 ~~A non-residential use that occupies greater than 5,000 square feet of retail space, not including a hardware store, lumberyard, garden center or antique store, that did not use outside display by August 14, 1997, or that begins operations on or after August 15, 1997, shall be prohibited from displaying goods outside for sale. Such a non-residential use may use outside storage, provided all storage complies with standards identified in 6.3.27.1.~~

*<u>Outside Retail Display</u>. Outside display of retail goods, in an un-roofed area where customers have ready access to such products, shall be allowed as an accessory use to any business with a retail component as follows.*

*A. The total area allowed for outside retail display is:*
   *1. for a property with 2,500 square feet or less of indoor retail space, 1,000 square feet of outside retail display per property; or*
   *2. for a property with more than 2,500 square feet of indoor retail space, 2,000 square feet of outside retail display per property.*

*B. Outside retail display does not need to be screened from view, and parking is not required for such areas.*

*C. Up to 10% of the outside retail display area may be located within the required bufferyards. This area shall be increased to 15% where the posted speed limit on the road in front of the business 50 MPH or faster. This limitation shall not apply to live plants – see §6.3.27.5.*

*D. The outside retail display may not occur within or block designated parking spaces, traffic aisles, or wheelchair-accessible pedestrian ways.*

*E. No component of the display shall be allowed if it would cause a safety risk to motorists, bicyclists or pedestrians because of its size, shape or placement (such as but not limited to objects which block sight distance, are sharp, or are large/immobile and located immediately adjacent to the road). Upon verbal direction from a*

*Code Enforcement Officer, any such problem item shall be removed or relocated immediately.*

*F. Outside retail display shall not involve any substantive physical change to or development of the property. It is simply an allowance to place product outside.*

*G. Such areas can straddle or cross onto a neighbor's property with that owner's permission.*

*H. Except for vehicle display (see §6.3.29), outside retail display which conforms to the standards of this section shall be permitted and shall not require specific permits or approvals from the Town.*

*SUNSET CLAUSE: Section 6.3.27.2 shall take effect immediately upon passage by the voters, and shall remain valid until June 20, 2015. After this date, outside retail display shall be prohibited. It is expected this allowance for outside retail display will be continued, with or without modification. This Sunset Clause is provided to allow evaluation of the impacts of this section's standards, and to make adjustments if needed without causing long-term adverse impacts.*

***(NOTE: The differences between this version of the outside display amendment and that in Amendment 7a occur between Section F and the Sunset Clause. The change were developed after a conversation with MMA Attorney Michael Stoltz, who believes we can allow outside display without grandfathering.)***

6.3.27.3 *Reserved.* ~~A hardware store, lumberyard, garden center or antique store that occupies greater than 5,000 square feet of retail space, that displayed goods for sale outside or stored goods outside prior to August 14, 1997, may continue to use the existing area(s), both location and square footage, devoted to outside display of goods for sale and outside storage of goods. Any expansion of the outside display or outside storage area(s) must comply with standards identified in Section 6.3.27.1.~~

6.3.27.4 *Reserved.* ~~A hardware store, lumberyard, garden center or antique store that occupies greater than 5,000 square feet of retail space in existence on August 14, 1997 that did not use outside display by August 15, 1997, or that begins operating on or after August 15, 1997, shall be limited to a maximum area of 300 square feet. The display area shall meet the minimum setbacks of the zoning district, shall not occur in the bufferyards required in Section 6.3.9, and shall not adversely impact vehicular or pedestrian safety or circulation in a public way. Outside storage areas shall comply with standards identified in 6.3.27.1.~~

6.3.27.5 A ~~garden center, nursery or commercial~~ business that offers living plant material for sale may display or store any amount of this material outside. Living plant material for sale may be located in the bufferyards required in

Section 6.3.9, provided there is the required amount of permanent landscaping identified in Section 6.3.10.

6.3.27.6 A retail use is permitted to display goods for sale at special events, such as a sidewalk sale, tent sale, or similar event, provided such events do not occur for more than a maximum of fifteen days during any calendar year. Sale of holiday season trees, wreaths and boughs is permitted from November 20th through December 25th. All such outside display areas shall adhere to setback requirements of this Ordinance to the greatest extent practical as determined by the Code Enforcement Officer.

Recommended by the Planning Board:
Recommended by the Board of Selectmen:

# Amendment #8

## *Parking in York Beach Village Center*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Zoning Ordinance** to alter the parking standards in the York Beach Village Center base zone, specifically amending Article 15, Parking.

Statement of Fact: The purpose of this amendment is to reduce the Town's parking standards in the York Beach village area, thereby making the standards more appropriate to the pedestrian nature of the area. This amendment is consistent with the Comprehensive Plan future land use recommendation #2 for modification of parking performance standards in this village area. It is not expected to have a significant impact on the cost of Town administration.

**Amendment:** Insert new language as follows:

***15.2 Alternative Parking Standards in the YBVC Zoning District***
*The parking standards of §15.1.1.2 are national standards based on suburban-style development, where people drive rather than walk from one use to the next. Such standards are completely unsuitable in a village area which is focused on pedestrian movement, and will in fact result in designs which are completely out of character with the Town's design goals for this village. Within a comfortable walking distance, there are more than 500 public and another 1,300 private parking spaces in and around the village. Despite this large number of spaces, on-site parking is deficient or non-existent on many properties. There is a high degree of shared parking by default – people tend to park only once for their entire stay in the village, and they walk to a variety of destinations. Though finding parking is not always easy, the village remains quite functional. With this as background, the following standards shall apply in the YBVC base zone.*

*A. Alternative Standard for Required Parking in YBVC. Parking requirements in the YBVC base zone shall be 50% of that specified in §15.1.1.2, except that dwellings (§15.1.1.2.a & b) and non-residential uses that provide overnight accommodations (§15.1.1.2.c, d, e & n) shall comply in full with §15.1.1.2. Note that the following section (§15.2.B) nullifies the parking standards for certain changes or expansions of use.*

*B. Change or Expansion of Non-Residential Use in YBVC. A change of use from one non-residential use to another non-residential use without building enlargement, or an expansion of a non-residential use without building enlargement, shall not trigger parking analysis nor require the provision of additional parking spaces beyond that which exist at the time of application, subject to the following requirements:*

*1. if the new or expanded use provides overnight accommodations (as described in §15.2.A), each unit of overnight accommodation other*

*than workforce affordable housing shall have one dedicated parking space available for use of the occupants; and*

2. *the number of on-site parking spaces shall not decline.*

C. *Parking Non-Conformity in YBVC. The provisions of 17.4.B, which require lessening of non-conformity, shall not apply to parking in the YBVC base zone.*

Recommended by the Planning Board:
Recommended by the Board of Selectmen:

# Amendment #9

*Setback Changes*

**Ballot Language:** The following language would appear on the ballot:

Article X

The Town hereby ordains amendment of the **Zoning Ordinance** to reduce setbacks for small outbuildings within the Growth Area, to exempt certain pergolas from standard lot setback requirements Town-wide, and to establish corner clearances for fences at intersections, specifically amending Article 2, Definitions, and Article 5, Dimensional Regulations.

Statement of Fact: The purpose of this amendment is threefold. First, within the Growth Area designated in the Comprehensive Plan, the amendment allows up to one small outbuilding closer to lot boundaries than would be allowed for homes and bigger buildings. This is to help improve design options within the Growth Area, where development density is generally higher than in the remainder of Town. Second, this amendment exempts pergolas under 8' in height from the standard lot setback requirements Town-wide. These structures are similar to fences and with this amendment will be regulated in the same manner. Third, a new standard is established to ensure that new fences near road intersections will not block the sight distance of drivers and pedestrians. This amendment is generally consistent with the Comprehensive Plan and is not expected to have any fiscal impact to Town administration.

**Amendment:** Insert a new definition in Article 2, Definitions, as follows:

***MINOR ACCESSORY STRUCTURE OR BUILDING:*** *An Accessory Structure or Building which has a gross floor area of 150 square feet or less, which has no walls taller than 10 feet, and which has no essential service connections.*

***PERGOLA****: An arbor or passageway without walls and with a roof of trelliswork on which climbing plants are grown.*

Add a new dimensional standard as follows:

***5.1.6 Reduced Setback for Minor Accessory Structure or Building***

*To allow added flexibility for smaller buildings in certain zones, the minimum setback for up one minor accessory structure or building per lot shall be 5' from any property line rather than the standard setbacks for that base zone, if the property is located within the Growth Area and is in any of the following base zones: RES 1-A, RES1-B, RES-5, RES-6, RES-7, YBVC, GEN-3, RT 1-1, RT 1-2, RT 1-3, RT 1-4 or RT 1-5.*

Amend the Height and Setback Exemptions of §5.1.5 by inserting new language, as follows:

5.1.5.2 Setback Exception. The following types of structures shall be exempt from structure setbacks established in §5.2.1, 5.2.2, and 5.2.4: sidewalks, driveways, mailboxes, septic systems, utility poles, utility lines, flag poles, fences less than 8 feet tall, *pergolas less than 8 feet tall*, and retaining walls less than 4 feet tall.

Insert a new requirement to maintain safe sight distances at street intersections, as follows:

***5.1.8 Corner Clearance Setbacks***

*To help maintain clear sight distance at street intersections, fences which would obscure sight distance shall be not be allowed within a triangle adjacent to each street corner. Such triangle shall be defined as having two sides at the inside edges of the intersecting streets (curb line, or edge of paving or gravel, not the edge of the right-of-way), with the third side being the triangle's hypotenuse connecting these two sides. The street sides of this triangle shall be 20' from the point of intersection, or in the case of rounded street corners, from the point of intersection of the street edge tangents.*

Recommended by the Planning Board:
Recommended by the Board of Selectmen:

# Amendment #10

*Home Occupations*

**Ballot Language:** The following language would appear on the ballot:

Article X

The Town hereby ordains amendment of the **Zoning Ordinance** to expand the types of uses which are allowed as small-scale home occupations, specifically amending Article 7, Special Use Provisions.

Statement of Fact: The purpose of this amendment is to allow most types of home occupations throughout the Town. Controls are already in place to limit the size and potential impacts associated with home occupations. This amendment is expressly consistent with the Comprehensive Plan's Town Goal 3.3 – to create conditions conducive to small-scale, local business start-up, success and growth. It is not expected to have any fiscal impact to Town administration.

**Amendment:** Amend the standards for Class 1 (small) home occupations from Section 7.4.2, Classes of Home Occupations, as follows:

A. Class 1:
   1. Located within the principal residential structure only.
   2. Shall occupy 450 square feet or less of floor space. *For a Day Care Home, this measure shall include only areas accessible by the people being cared for and shall not include other interior space dedicated for this use.*
   3. Not more than one employee other than the home's occupants may work on-site at any time, and one additional on-site parking space shall be provided if there is such an employee.
   4. No outdoor activity or storage of materials shall be permitted, *except for a Day Care Home where outdoor space must be provided for the people.*
   5. Additional workers cannot gather even briefly on the property.

Remove the table of home occupations by class from §7.4.3, as follows:

**7.4.3 Types of Home Occupations Permitted ~~by Class.~~** *The following types of home occupation uses shall be permitted:* ~~For each class of home occupation, the types of permitted home occupations shall comply with the following table in §7.4.3.A. The uses listed in this table shall be defined as specified in §7.4.3.B.~~

~~A. Home occupations may include only the following uses, as limited for each class in the following table:~~

| | ~~Class 1~~ | ~~Class 2~~ | ~~Class 3~~ |
|---|---|---|---|
| ~~Professional Offices~~ | ~~yes~~ | ~~yes~~ | ~~yes~~ |
| ~~Personal Services~~ | ~~no~~ | ~~yes~~ | ~~yes~~ |
| ~~Instructional Services~~ | ~~yes~~ | ~~yes~~ | ~~yes~~ |
| ~~Repair Services~~ | ~~no~~ | ~~yes~~ | ~~yes~~ |
| ~~Day Care Homes~~ | ~~no~~ | ~~yes~~ | ~~yes~~ |
| ~~Studios~~ | ~~yes~~ | ~~yes~~ | ~~yes~~ |
| ~~Trade Shop~~ | ~~no~~ | ~~yes~~ | ~~yes~~ |

~~B. The uses listed in the table of home occupation uses shall be defined as follows:~~

1. Professional Office: office space used for by professionals including, but not limited to architects, brokers, counselors, clergy, draftspeople, cartographers, engineers, insurance agents, lawyers, real estate agents, accountants, editors, publishers, journalists, psychologists, contract managers, graphic designers, landscape designers, surveyors, salespeople, and travel agents. This shall exclude medical and dental offices.

2. Personal Service: space used for personal services including, but not limited to barbershops, beauty parlors, massage therapy, and manicure/pedicure shops.

3. Instructional Service: space used for instruction including, but not limited to music, dance, art, crafts, and tutoring.

4. Repair Service: space used for repair work including, but not limited to watch and clocks, small appliances, computers, electronic devices, small engines and lawnmowers.

5. Day Care Home: see definition in Article 2.

6. Studio: workshop of an artist or craftsperson, including, but not limited to artists, painters, sculptors, musicians, photographers, authors, weavers, jewelers, cabinetmakers, and woodworkers.

7. Trade Shop: space used by tradespeople including, but not limited to carpenters, plumbers, electricians and landscapers to store tools and materials and to prepare for off-site work.

Recommended by the Planning Board:
Recommended by the Board of Selectmen:

# Amendment #11

## *Refine Residential Use Definitions and Standards*

**Ballot Language:** The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Zoning Ordinance** to refine the definitions and standards for all residential uses, including modular housing and manufactured housing, specifically amending: Article 2, Definitions; Article 3, Establishment of Zoning Districts; Article 4, Schedule of Use Regulations; Article 6, Supplemental Use Requirements; Article 7, Special Provisions; Article 8, Shoreland Overlay District; Article 10, Watershed Protection Overlay District; Article 10-A, Elderly Congregate Housing Overlay District; Article 13, Manufactured Housing and Mobile Home Parks; Article 18, Administration; and Article 21, Severability and Conflict with Other Ordinances.

Statement of Fact: The purpose of this amendment is to establish a standardized list of the principal residential uses addressed by the Zoning Ordinance. This builds on an amendment passed in November 2011 to improve the format of the use tables. A definition is provided for each principal residential use, and the lists of residential uses in all base zoning districts and in the Shoreland Overlay District are amended to ensure consistency in use of terms. Elderly congregate housing is converted from an overlay district to a principal use regulated zone by zone. Policies about modular homes and manufactured housing, which are types of residential construction, are also included in this amendment. This amendment is consistent with the Comprehensive Plan, specifically with Policy #2.5.5 which calls for making the Town's land use codes more user-friendly, and with Policy #4.2.9 which calls for changes to bring the Town's modular housing and manufactured housing policies into conformity with State law. It is not expected to have a significant impact on the cost of Town administration.

## ARTICLE 2

**Amendment:** Amend certain definitions within Article Two, Definitions, to relating to principal residential uses, as follows:

**BED & ~~AND~~ BREAKFAST:** A *residential use conducted* ~~family enterprise, operated~~ by the resident owner within her/his own *single-family dwelling* ~~residence~~, offering overnight accommodations to the general public on a transient basis, *and providing a full or continental breakfast to overnight guests only*. The operation is ~~a~~ secondary ~~use~~ to the primary residential function, and *is not intended to have impacts significantly in excess of those of any other single-family dwelling* ~~such use shall not change the character of the residence~~. This definition shall preclude this use from being classified as a Home Occupation. (NOTE: changes to ensure consistent use of terms, and to add the "breakfast" part of the use to the definition.)

**BOARDING ~~AND ROOMING~~ HOUSE:** A residential use *conducted by the resident owner within her/his own single-family dwelling where 3 or more rooms are rented to people not part of the household on a month-to-month or longer duration, provided the rented rooms* ~~consisting of at least one dwelling unit together with more than two rooms that are rented or are designed or intended to be rented but which rooms,~~ individually or collectively, do not constitute separate dwelling units. A boarding ~~or rooming~~ house is distinguished from a tourist home in that the former is designed to be occupied by longer term residents, at least month-to-month, as opposed to overnight or weekly guests.

~~**DWELLING:** A building whose principal use is for residential purposes, and which has one or more dwelling units as permitted in the zone. A dwelling excludes a building or space used for an artist studio or a building used for transient rental accommodations, including a motel, hotel, lodging home, tourist home, inn or similar facility.~~ (NOTE: deleted because this definition is no longer needed. "Dwelling Unit" is the critical definition and is referenced in the definitions of "Single-Family Dwelling," "Two-Family Dwelling" and "Multi-Family Dwelling.")

***DWELLING, SINGLE-FAMILY:*** *A single building containing one dwelling unit, with or without an accessory dwelling unit or accessory residential unit.* (NOTE: newly defined.)

***DWELLING, TWO-FAMILY:*** *A single building containing two dwelling units, neither of which is an accessory dwelling unit or accessory residential unit. May also be referred to as a "Duplex."* (NOTE: newly defined.)

**DWELLING UNIT:** ~~One or more rooms used for or arranged for the use of one or more individuals living together as a single housekeeping unit.~~ *A dwelling unit is one or more rooms within a building for the use of one person or multiple people living as a family (as defined in Article 2), and contains living, sleeping, sanitary and kitchen facilities for the exclusive use of the unit occupants. A dwelling unit excludes: a building or space used for an artist studio within a Cultural Facility; or a building or space used for transient rental accommodations including a motel, hotel, inn, or similar facility. (See also §8.1.4.A regarding the a variation of this definition within the Shoreland Overlay District.)* (NOTE: amended and made more specific because this definition is the key to defining the uses: Single-Family Dwelling, Two-Family Dwelling, and Multi-Family Dwelling.)

(NOTE: no change to the definitions of **Elderly Housing** or **Elderly Congregate Housing**.)

~~**MOBILE HOME PARK:** "Mobile home park/manufactured home park or subdivision" means a contiguous parcel of land designed for the location of 2, 3 or more manufactured housing units, which is licensed as a mobile home park by the Maine Department of Business Regulation. Mobile home parks are further categorized as:~~

~~a. Category A Mobile Home Parks. Those mobile home parks with fifteen or fewer spaces or lots for manufactured housing units.~~

~~b. Category B Mobile Home Parks. Those mobile home parks with more than fifteen spaces or lots for manufactured housing units.~~

(NOTE: this use category is eliminated because its name implied a park full of mobile homes, which were pre-1976 trailers which are prohibited anyway. It is replaced with the new use category, "manufactured housing park.")

**~~MOBILE HOMES, TRAILERS:~~** ~~"Mobile homes" and "trailers" are terms that may be used interchangeably, and mean any manufactured housing unit constructed prior to June 15, 1976.~~ (NOTE: this term is discontinued throughout the ordinance. The concept is replaced with an age restriction for manufactured housing units established within Article 13 of the regulatory standards.)

(NOTE: no change to the definition of **Multi-Family Dwelling**.)

***TRANSIENT OCCUPANCY:*** *A stay by the same person or group of people in overnight accommodations of a particular hotel, motel, inn, bed & breakfast or other such place for 30 days or less per calendar year. Room or suite assignments are not relevant in determining whether or not occupancy is transient.* (NOTE: this definition is needed to clarify what is meant by "transient" in the definition of "Bed & Breakfast." It also has implications for "Hotel/Motel" and "Inn" uses.)

**MANUFACTURED HOUSING:** ~~A structural unit or units designed for occupancy, and constructed in a manufacturing facility and then transported in two or fewer sections to a building site.~~ *A structural unit or units designed to become a dwelling unit, constructed on a permanent chassis in a manufacturing facility and transported by the use of its own chassis to a building site. (In common language, this is what people commonly refer to as "trailers" and "mobile homes," though these terms are not used in this context in this Ordinance.) This includes but is not limited to those units which the manufacturer certifies were constructed after June 15, 1976 in compliance with HUD standards. The manufactured housing unit is constructed with its utilities integral to the unit, and is designed to be used with or without a permanent foundation when connected to required utilities at the site.* This definition is intended not to include Recreational Vehicles (RVs) as defined in this ordinance. (NOTE: this definition closely follows the statutory definition of 30-A §4358, but is different because modular housing is defined independently in York zoning, not as a type of manufactured housing. The State approach is extremely confusing because of their terminology, so I chose to follow the requirements without mirroring their terminology.)

***MODULAR HOME:*** *A structural unit or units designed to become a dwelling unit, constructed in a manufacturing facility and transported by an independent chassis to a building site. This includes only those units which the manufacturer certifies are constructed in compliance with State laws and rules, including but not limited to M.R.S. Title 10, Chapter 951, and rules adopted under that chapter. The modular home is constructed with its utilities integral to the units, and is designed to be placed on a foundation and connected to required utilities at the site.* (NOTE: this is a new

definition which is currently lacking in our Zoning. By law, modular homes are treated just like any traditional stick-built house, so I've removed them from the category of manufactured housing as they are defined in statute. This is to prevent a by-right high-density manufactured housing park that is instead full of modular homes.)

***MANUFACTURED HOUSING PARK:*** *A parcel of land under unified ownership and management, approved by the Town for the placement of 3 or more units of manufactured housing.* (NOTE: This is a new use category to replace the former Mobile Home Park category. The definition closely follows the statutory definition of mobile home park, but terminology is adapted for our needs.)

## ARTICLE 3

Amend §3.11, deleting the section which establishes the Elderly Congregate Housing Overlay District, as follows:

**3.11** ***Reserved.*** ~~**Elderly Congregate Housing Overlay District**~~
~~The boundaries of this district are delineated on a map entitled, "York Zoning Ordinance: Elderly Congregate Housing Overlay District," dated May 6, 2004.~~

(NOTE: This Overlay District is being removed because the use "Elderly Congregate Housing" is now being addressed as a use in each base zoning district – the overlay is unnecessary with this change.)

## ARTICLE 4

Amend §4.1 by inserting a new subsection which lists the Principal Uses in the Residential Use Category, as follows:

**4.1** **Base Zone Requirements.** The uses listed for each zone in this Article are permitted, and all others are prohibited.

***A.*** ***Residential Use Category, With Permit/Approval Jurisdiction.*** *The following is a list of all the principal uses within the Residential Use Category. In the zone-by-zone listing of permitted principal uses in the Residential Use Category, any use listed for that zone shall be an allowed use, and uses from this list which are not listed shall be expressly prohibited. Where a permit or approval is required for establishment or modification of the use, the proper authority is identified below after the use. Where uses are referenced in overlay districts, permit or approval authority for the use shall be the same as in the base zones unless otherwise specified.*

- *Dwelling, Single-Family – CEO*
- *Dwelling, Two-Family – CEO*
- *Dwelling, Multi-Family – Planning Board*
- *Bed & Breakfast – Board of Appeals, by Special Exception per §18.8.2.2*
- *Boarding House – Board of Appeals, by Special Exception per §18.8.2.2*
- *Elderly Housing – Planning Board*
- *Elderly Congregate Housing – Planning Board*

*B. **Other Use Categories.** Uses which are permitted or expressly prohibited are listed by category for each zoning district.*

(NOTE: the following are the zone-by-zone amendments to the Residential Use Category listings for all base and Shoreland zones.)

Amend §4.1.1, for each of the RES base zoning districts, Residential Use Category, as follows:

**Residential Use Category (RES 1-A & RES 1-B)**

- Single-Family Dwelling
- Two-Family Dwelling
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~
- ~~Temporary Mobile Homes – With permit from Board of Selectmen – see §7.1.~~
- Boarding ~~or Rooming~~ House ~~– Maximum of 3 rooms for rent. Only permitted as an accessory use incidental to single-family or two-family dwellings.~~
- ~~Cluster Development~~
- Bed & Breakfast
- Elderly Housing
- *Elderly Congregate Housing*
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling; Mobile Homes; Mobile Home Park.~~

**Residential Use Category (RES-2)**

- Single-Family Dwelling
- Two-Family Dwelling
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~
- ~~Temporary Mobile Homes – With permit from Board of Selectmen – see §7.1.~~
- Boarding ~~or Rooming~~ House ~~– Maximum of 3 rooms for rent. Only permitted as an accessory use incidental to single-family or two-family dwellings.~~
- ~~Cluster Development~~
- Bed & Breakfast
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling, Mobile Homes, Mobile Home Park, Elderly Housing.~~

**Residential Use Category (RES-3)**

- Single-Family Dwelling

- Two-Family Dwelling
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~
- ~~Temporary Mobile Homes – With permit from Board of Selectmen – see §7.1.~~
- Boarding ~~or Rooming~~ House ~~– Two rooms only. Only permitted as an accessory use incidental to single-family or two-family dwellings.~~
- ~~Cluster Development~~
- Bed & Breakfast ~~– Allowed only by Special Exception. The Board of Appeals may grant a special exception if the proposed use is determined to comply with the conditions listed in §18.8.2.2 and the dwelling will be the primary residence of the owner.~~
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling, Mobile Homes, Mobile Home Park, Elderly Housing.~~

**Residential Use Category (RES-4)**

- Single-Family Dwelling – Private garages are limited to the storage or parking of 3 motor vehicles.
- Two-Family Dwelling – Allowed only by Special Exception. The Board of Appeals may grant a special exception if the proposed use is determined to comply with the conditions listed in §18.8.2.2 and the dwelling will be the primary residence of the owner. *In addition, private garages are limited to the storage or parking of 3 motor vehicles.*
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13. Also, private garages are limited to the storage or parking of 3 motor vehicles.~~
- Boarding ~~or Rooming~~ House – Allowed only by Special Exception. The Board of Appeals may grant a special exception if the proposed use is determined to comply with the conditions listed in §18.8.2.2 and the dwelling will be the primary residence of the owner.
- ~~Cluster Development~~
- Bed & Breakfast
- Elderly Housing
- *Elderly Congregate Housing*
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling, Mobile Homes, Mobile Home Park, Temporary Mobile Homes.~~

**Residential Use Category (RES-5)**

- Single-Family Dwelling

- Two-Family Dwelling ~~—Allowed only by Special Exception. The Board of Appeals may grant a special exception if the proposed use is determined to comply with the conditions listed in §18.8.2.2 and the dwelling will be the primary residence of the owner.~~
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~
- Boarding ~~or Rooming~~ House ~~—Allowed only by Special Exception. The Board of Appeals may grant a special exception if the proposed use is determined to comply with the conditions listed in §18.8.2.2 and the dwelling will be the primary residence of the owner.~~
- ~~Cluster Development~~
- Bed & Breakfast
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling, Mobile Homes, Mobile Home Park, Temporary Mobile Homes, Elderly Housing.~~

**Residential Use Category (RES-6)**

- Single-Family Dwelling
- Two-Family Dwelling
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~
- Boarding ~~or Rooming~~ House ~~—Allowed only by Special Exception. The Board of Appeals may grant a special exception if the proposed use is determined to comply with the conditions listed in §18.8.2.2 and the dwelling will be the primary residence of the owner.~~
- ~~Cluster Development~~
- Bed & Breakfast
- Elderly Housing
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling, Mobile Homes, Mobile Home Park, Temporary Mobile Homes.~~

**Residential Use Category (RES-7)**

- Single-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~

- Boarding ~~or Rooming~~ House ~~– For not more than 4 persons conducted by the owner of record who is prime resident in the dwelling.~~
- ~~Cluster Development~~
- Bed & Breakfast
- Elderly Housing
- ~~EXPRESSLY PROHIBITED: Mobile Homes, Mobile Home Park, Temporary Mobile Homes.~~

Amend §4.1.2, for each of the BUS base zoning districts, Residential Use Category, as follows:

**Residential Use Category (BUS-1)**

- Single-Family Dwelling – Private garages are limited to the storage or parking of 3 motor vehicles.
- Two-Family Dwelling – Private garages are limited to the storage or parking of 3 motor vehicles. Also, reference density standard of §5.4.4.
- Multi-Family Dwelling – Private garages are limited to the storage or parking of 3 motor vehicles. Also, reference density standard of §5.4.4.
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13. Also, private garages are limited to the storage or parking of 3 motor vehicles.~~
- Boarding ~~or Rooming~~ House – Allowed only by Special Exception. The Board of Appeals may grant a special exception if the proposed use is determined to comply with the conditions listed in §18.8.2.2 and the dwelling will be the primary residence of the owner.
- ~~Cluster Development~~
- Bed & Breakfast
- Elderly Housing
- *Elderly Congregate Housing*
- ~~EXPRESSLY PROHIBITED: Mobile Homes; Mobile Home Parks; Temporary Mobile Homes.~~

**Residential Use Category (BUS-2)**

- Single-Family Dwelling – Private garages are limited to the storage or parking of 3 motor vehicles.
- Two-Family Dwelling – Allowed only by Special Exception. The Board of Appeals may grant a special exception if the proposed use is determined to comply with the conditions listed in §18.8.2.2 and the dwelling will be the primary residence of the owner. *In addition, private garages are limited to the storage or parking of 3 motor vehicles.*

- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13. Also, private garages are limited to the storage or parking of 3 motor vehicles.~~
- Boarding ~~or Rooming~~ House – Allowed only by Special Exception. The Board of Appeals may grant a special exception if the proposed use is determined to comply with the conditions listed in §18.8.2.2 and the dwelling will be the primary residence of the owner.
- ~~Cluster Development~~
- Bed & Breakfast
- Elderly Housing
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling; Mobile Homes; Mobile Home Parks; Temporary Mobile Homes.~~

Amend §4.1.2, for the York Beach Village Center (YBVC) base zoning district, Residential Use Category, as follows:

**Residential Use Category (YBVC)**

- Single-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~
- ~~Temporary Mobile Homes – With permit from Board of Selectmen – see §7.1.~~
- Boarding ~~or Rooming~~ House
- ~~Cluster Development~~
- Bed & Breakfast
- Elderly Housing
- ~~EXPRESSLY PROHIBITED: Mobile Homes; Mobile Home Parks.~~

Amend §4.1.2, for each of the GEN base zoning districts, Residential Use Category, as follows:

**Residential Use Category (GEN-1)**

- Single-Family Dwelling
- Two-Family Dwelling
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~
- ~~Temporary Mobile Homes – With permit from Board of Selectmen – see §7.1.~~

- Boarding ~~or Rooming~~ House
- ~~Cluster Development~~
- Bed & Breakfast
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling; Mobile Homes; Mobile Home Parks; Elderly Housing.~~

**Residential Use Category (GEN-2)**

- Single-Family Dwelling
- Two-Family Dwelling
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~
- ~~Mobile Home Parks~~
- ~~Temporary Mobile Homes – With permit from Board of Selectmen – see §7.1.~~
- Boarding ~~or Rooming~~ House
- ~~Cluster Development~~
- Bed & Breakfast
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling; Mobile Homes; Elderly Housing.~~

**Residential Use Category (GEN-3)**

- Single-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling – Only on lots served by public sewer and public water.
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN-2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13.~~
- ~~Mobile Home Parks – Manufactured housing parks are allowed only in the portion of this district described in §13.6 of this Ordinance.~~
- ~~Temporary Mobile Homes – With permit from Board of Selectmen – see §7.1.~~
- Boarding ~~or Rooming~~ House
- ~~Cluster Development~~
- Bed & Breakfast
- Elderly Housing
- *Elderly Congregate Housing*
- ~~EXPRESSLY PROHIBITED: Mobile Homes.~~

Amend §4.1.4, for each of the ROUTE ONE base zoning districts, Residential Use Category, as follows:

**Residential Use Category (RT 1-1)**

- Single-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Two-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- ~~Temporary Mobile Home – With permit from Board of Selectmen – see §7.1.~~
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Route One Use Permit from CEO required.~~
- Boarding ~~or Rooming~~ House ~~– Route One Use Permit from CEO required.~~
- ~~Cluster Development – Route One Use Permit from Planning Board required.~~
- Bed & Breakfast ~~– Route One Use Permit from CEO required.~~
- Elderly Housing ~~– Route One Use Permit from Planning Board required.~~
- ~~EXPRESSLY PROHIBITED: Multi-Family Dwelling; Mobile Home; Mobile Home Park.~~

**Residential Use Category (RT 1-2)**

- Single-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Two-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Multi-Family Dwelling ~~– Route One Use Permit from Planning Board required.~~
- ~~Temporary Mobile Home – With permit from Board of Selectmen – see §7.1.~~
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Route One Use Permit from CEO required.~~
- Boarding ~~or Rooming~~ House ~~– Route One Use Permit from CEO required.~~
- ~~Cluster Development – Route One Use Permit from Planning Board required.~~
- Bed & Breakfast ~~– Route One Use Permit from CEO required.~~
- Elderly Housing ~~– Route One Use Permit from Planning Board required.~~
- ~~EXPRESSLY PROHIBITED: Mobile Home; Mobile Home Park.~~

**Residential Use Category (RT 1-3)**

- Single-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Two-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Multi-Family Dwelling ~~– Route One Use Permit from Planning Board required.~~
- ~~Temporary Mobile Home – With permit from Board of Selectmen – see §7.1.~~
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Route One Use Permit from CEO required.~~
- Boarding ~~or Rooming~~ House ~~– Route One Use Permit from CEO required.~~
- ~~Cluster Development – Route One Use Permit from Planning Board required.~~
- Bed & Breakfast ~~– Route One Use Permit from CEO required.~~
- Elderly Housing ~~– Route One Use Permit from Planning Board required.~~
- ~~EXPRESSLY PROHIBITED: Mobile Home; Mobile Home Park.~~

**Residential Use Category (RT 1-4)**

- Single-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Two-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Multi-Family Dwelling ~~– Route One Use Permit from Planning Board required.~~
- ~~Temporary Mobile Home – With permit from Board of Selectmen – see §7.1.~~
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Route One Use Permit from CEO required.~~
- Boarding ~~or Rooming~~ House ~~– Route One Use Permit from CEO required.~~
- ~~Cluster Development – Route One Use Permit from Planning Board required.~~
- Bed & Breakfast ~~– Route One Use Permit from CEO required.~~
- Elderly Housing ~~– Route One Use Permit from Planning Board required.~~
- *Elderly Congregate Housing – East of Route One only.*
- ~~EXPRESSLY PROHIBITED: Mobile Home; Mobile Home Park.~~

**Residential Use Category (RT 1-5)**

- Single-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Two-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Multi-Family Dwelling ~~– Route One Use Permit from Planning Board required.~~
- ~~Temporary Mobile Home – With permit from Board of Selectmen – see §7.1.~~
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Route One Use Permit from CEO required.~~
- Boarding ~~or Rooming~~ House ~~– Route One Use Permit from CEO required.~~
- ~~Cluster Development – Route One Use Permit from Planning Board required.~~
- Bed & Breakfast ~~– Route One Use Permit from CEO required.~~
- Elderly Housing ~~– Route One Use Permit from Planning Board required.~~
- ~~EXPRESSLY PROHIBITED: Mobile Home; Mobile Home Park.~~

**Residential Use Category (RT 1-6)**

- Single-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Two-Family Dwelling ~~– Route One Use Permit from CEO required.~~
- Multi-Family Dwelling ~~– Route One Use Permit from Planning Board required.~~
- ~~Temporary Mobile Home – With permit from Board of Selectmen – see §7.1.~~
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Route One Use Permit from CEO required.~~
- Boarding ~~or Rooming~~ House ~~– Route One Use Permit from CEO required.~~
- ~~Cluster Development – Route One Use Permit from Planning Board required.~~
- Bed & Breakfast ~~– Route One Use Permit from CEO required.~~
- Elderly Housing ~~– Route One Use Permit from Planning Board required.~~
- ~~EXPRESSLY PROHIBITED: Mobile Home; Mobile Home Park.~~

## ARTICLE 6

Amend the header of §6.3, which establishes the applicability of performance standards in the Route One zones, specifically extending it to include multi-family development, as follows:

**6.3 Performance Standards Applicable to all Non-Residential *and multi-family* uses in the Route One-1, Route One-2, Route One-3, Route One-4, Route One-5 and Route One-6 Zoning Districts.**

## ARTICLE 7

Amend Special Provisions pertaining to the temporary use of mobile homes to address this issue independently from the Use Tables in the base zones and overlay districts, as follows:

**7.1 Temporary Use of *Manufactured Housing Unit* ~~Mobile Home - Applicable to RES-1, RES-2, RES-3, YBVC, GEN-1, GEN-2, GEN-3 Districts~~**

Any person who can show good intentions of building a home may apply to the Board of Selectmen for a permit to locate a *manufactured housing unit or recreation vehicle* ~~mobile home or house trailer~~ on the proposed home site during the construction of said home for a period of one year. If the applicant, at the end of one year, has not finished the proposed home to a livable state, ~~he~~ *the applicant* may re-apply to the Board of Selectmen for a maximum of twelve (12) months extension of said permit. The Board of Selectmen, after being satisfied of good faith on the part of the applicant, may issue such permit for one year and extend such permit not to exceed twelve (12) months beyond the initial year. *This allowance shall apply within the following zones:*

*A. RES 1-A, RES 1-B, RES-2, RES-3, YBVC, GEN-1, GEN-2 and GEN-3 base zoning districts;*

*B. Watershed Protection Overlay District; and*

*C. Shoreland Overlay District - Mixed Use subdistrict (Shoreland Permit from CEO also required), Limited Residential Subdistrict (Shoreland Permit from CEO also required) and Resource Protection Subdistrict (Special Use Permit from Planning Board per §18.2.7 also required), but prohibited in the Stream Protection Subdistrict.*

(This provision is not meant to exclude trailers used for the sole purpose of a "Construction Office" located at the building site. "Construction Office" trailers shall not be equipped with sleeping accommodations and shall be removed from the site within 30 days after occupancy of the principal use.)

(NOTE: the language of this section just needs simple clean up to mirror the new terminology about manufactured housing instead of mobile home.)

Insert a new section to limit the occupancy of Recreation Vehicles located outside campgrounds, as follows:

***7.1-A. Temporary Use of Recreation Vehicles***

*On any lot other than a campground, one recreation vehicle may be occupied overnight for not more than 1 week per calendar year. Occupancy by more units or longer than 1 week shall be prohibited.*

(NOTE: this new language will address problems we've been having with people using RVs on an extended basis, essentially establishing dwelling units without adequate density, utility connections, building codes, etc..)

Amend the Cluster Subdivision performance standards to specify that cluster subdivision is permitted in all base zones, as follows:

**7.6 Cluster Housing Subdivision Application**

~~The standards applicable to Cluster Housing Subdivisions, as amended by the voters on November 1, 2005, shall retroactively apply to any application accepted for review by the Planning Board on or after May 11, 2005, the date on which the first public hearing was posted for the amendments. The former cluster provisions shall apply to applications accepted prior to this date.~~

*Cluster subdivision shall be permitted in all base zoning districts. Permissibility within overlay districts is addressed as needed by district. The standards of this Section (§7.6) shall apply to all cluster subdivision.*

## ARTICLE 8

Amend §8.2.1.A, Shoreland Mixed Use Subdistrict, Residential Use Category, as follows:

**Residential Use Category (Mixed Use Shoreland)** – *Shoreland permits/approvals are required. Jurisdiction to issue Shoreland permits/approvals is established by use as specified in §4.1.A, except where indicated below.*

- Single-Family Dwelling ~~– Shoreland Permit from the CEO is required.~~
- Two-Family Dwelling ~~– Shoreland Permit from the CEO is required.~~
- ~~Home Occupations – Shoreland Permit from the CEO is required.~~
- Multi-Family Dwelling ~~– Shoreland Permit from the Planning Board required.~~
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN 2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13. Shoreland Permit from the CEO is required.~~
- ~~Temporary Mobile Homes – With permit from Board of Selectmen (see §7.1) and Shoreland Permit from the CEO.~~
- Boarding ~~or Rooming~~ House ~~– Shoreland Permit from the CEO is required.~~
- ~~Cluster Development – Shoreland Permit from the Planning Board required.~~

- Bed & Breakfast – Shoreland Permit from the CEO is required.
- Elderly Housing ~~– Shoreland Permit from the Planning Board required.~~
- ~~EXPRESSLY PROHIBITED: Mobile Homes; Mobile Home Park.~~

Amend §8.2.1.B, Shoreland Limited Residential Subdistrict, Residential Use Category, as follows:

**Residential Use Category (Limited Res. Shoreland)** – *Shoreland permits/approvals are required. Jurisdiction to issue Shoreland permits/approvals is established by use as specified in §4.1.A, except where indicated below.*

- Single-Family Dwelling ~~– Shoreland Permit from the CEO is required.~~
- Two-Family Dwelling ~~– Shoreland Permit from the CEO is required.~~
- ~~Home Occupations – Shoreland Permit from the CEO is required.~~
- Multi-Family Dwelling ~~– Shoreland Permit from the Planning Board required.~~
- ~~Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13) – Single wide manufactured homes are allowed in GEN 2 only; double wide manufactured housing is permitted in all districts to the same extend as site built housing. See Article 13. Shoreland Permit from the CEO is required.~~
- ~~Temporary Mobile Homes – With permit from Board of Selectmen (see §7.1) and Shoreland Permit from the CEO.~~
- ~~Cluster Development – Shoreland Permit from the Planning Board required.~~
- Bed & Breakfast – Shoreland Permit from the CEO is required.
- Elderly Housing ~~– Shoreland Permit from the Planning Board required.~~
- ~~EXPRESSLY PROHIBITED: Mobile Homes; Mobile Home Park; Boarding or Rooming House.~~

Amend §8.2.1.C, Shoreland Resource Protection Subdistrict, Residential Use Category, as follows:

**Residential Use Category (Res. Protection Shoreland)** – *Shoreland permits/approvals are required. Jurisdiction to issue Shoreland permits/approvals is established by use as specified in §4.1.A, except where indicated below.*

- Single-Family Dwelling – Requires a Special Use Permit per §18.2.7.
- ~~Home Occupations – Shoreland Permit from the Planning Board required.~~
- ~~Temporary Mobile Homes – Requires a permit from Board of Selectmen (see §7.1) and a Special Use Permit per §18.2.7.~~
- ~~EXPRESSLY PROHIBITED: Two Family Dwelling; Multi Family Dwelling; Mobile Homes; Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13); Mobile Home Park; Boarding or Rooming House; Cluster Development; Bed & Breakfast; Elderly Housing.~~

Amend §8.2.1.D, Shoreland Stream Protection Subdistrict, Residential Use Category, as follows:

**Residential Use Category (Stream Protection Shoreland)** – *Shoreland permits/approvals are required. Jurisdiction to issue Shoreland permits/approvals is established by use as specified in §4.1.A, except where indicated below.*

- *No uses in this Category are permitted in this Subdistrict.*
- ~~EXPRESSLY PROHIBITED: Single-Family Dwelling; Two-Family Dwelling; Home Occupations; Multi-Family Dwelling; Mobile Homes; Manufactured Housing (per standards of Manufactured Housing Regulations, Article 13); Mobile Home Park; Temporary Mobile Homes; Boarding or Rooming House; Cluster Development; Bed & Breakfast; Elderly Housing.~~

Amend the second paragraph of §8.1.4.A to remove a reference to "mobile homes" as follows:

For purposes of the Shoreland Overlay District, "residential dwelling unit" shall be defined as: a room or group of rooms designed and equipped exclusively for use as permanent, seasonal or temporary living quarters for only one family at a time, and containing cooking, sleeping and *sanitary* ~~toilet~~ facilities. The term shall include ~~mobile homes~~ *modular homes, manufactured housing units* and rental units that contain cooking, sleeping, and *sanitary* ~~toilet~~ facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units. (NOTE: the language of this section just needs simple clean up to mirror the new terminology of Article 13 as revised.)

Insert new §8.1.5, Cluster Subdivisions, as follows:

*8.1.5 Cluster Subdivisions. Cluster subdivisions shall be controlled as follows:*

*1. By subdistrict, cluster subdivision is:*

*a. allowed with Shoreland Approval from the Planning Board in the Mixed Use and Limited Residential subdistricts.*

*b. prohibited in the Resource Protection and Stream Protection subdistricts.*

*2. Cluster subdivision shall be approved only upon demonstration that overall dimensional requirements for the Overlay District, including shore frontage and lot area per dwelling unit, are met. When determining whether dimensional requirements are met, only land area within the Shoreland Overlay District shall be considered. (NOTE: paraphrased from State Shoreland Zoning Rules - Chapter 1000.)*

Insert new §8.2.4, Home Occupations, to address home occupations in the Shoreland Overlay District, as follows:

*8.2.4 Home Occupations. Home occupations shall be controlled as follows:*

*1. By subdistrict, home occupations are:*

*a. allowed with a Shoreland Permit from the CEO in the Mixed Use or Limited Residential subdistrict.*

*b. allowed with Shoreland Approval from the Planning Board in the Resource Protection Subdistrict.*

*c. prohibited in the Stream Protection Subdistrict.*

*2. Limits on the size of the home occupation shall follow the standards of §7.4.*

(NOTE: home occupations are pulled from the list of principal uses because they are accessory. While §7.4 addresses home occupations lot-by-lot throughout York, it does not address the Shoreland Overlay District restrictions so these needed to be picked up separately.)

## ARTICLE 10

Amend the lot size standard of the Watershed Protection Overlay District to prohibit cluster subdivision, as follows:

**10.4.1 Minimum Lot Size.** No lot shall be less than 10 acres in size in this Overlay District. Additional Town requirements regarding net buildable area shall not be applied to this lot size measure, but may apply to the minimum land area requirement in the underlying zoning district. *Cluster subdivision shall be allowed within this Overlay District.*

(NOTE: This proposed change is addressing a void in the current language of the Ordinance. It is entirely unclear whether or not a property owner could use a cluster design the way the Ordinance is currently written. This amendment expressly allows cluster.)

## ARTICLE 10-A

(NOTE: The following changes to Article 10-A are required simply to address elderly congregate housing zone by zone rather than as an overlay district. The policy content of the provisions remains unchanged, except that the boundaries of the zone have moved a bit because the overlay doesn't follow the base zone boundaries exactly. The only area of significant change is along the boundary just east of Route One.)

Amend the title and first two sections of Article 10-A, Elderly Congregate Housing Overlay District, to change it from an overlay district to performance standards, as follows:

### ARTICLE TEN-A
### ELDERLY CONGREGATE HOUSING *STANDARDS* ~~OVERLAY DISTRICT~~

**10-A.1** ***Applicability*** ~~**Elderly Congregate Housing Overlay District**~~

The provisions of this Article pertain to ~~the~~ Elderly Congregate Housing ~~Overlay District as described in section 3.11~~.

**10-A.2** ***General Standards*** ~~**Land Uses**~~

10-A.2.1 *Where the provisions of this Article are less restrictive than other provisions applicable to the base zoning district in which the elderly congregate housing*

*use is located, the standards of this Article shall supersede those of the base zone.* ~~The Elderly Congregate Housing Overlay District is an overlay district in which certain uses are allowed in addition to the uses otherwise allowed in the underlying zoning district. The provisions of the overlay district apply specifically to elderly congregate housing, including nursing homes that may be associated with the elderly congregate housing. Unless otherwise specified, all other uses shall comply with the standards of the underlying zoning district.~~

10-A.2.2 *A nursing home, when not allowed in the base zoning district, shall be permitted as an accessory component to the elderly congregate housing use, subject to the limits of this Section.* ~~In addition to any use allowed in the underlying district, the following uses are permitted in the Elderly Congregate Housing Overlay District:~~

~~a. Elderly congregate housing~~

~~b. Nursing homes, provided that, unless nursing homes are otherwise permitted in the underlying zoning district, a nursing home shall be permitted only if it is an integral part of an overall project that includes elderly congregate housing as the primary use and the nursing home as a secondary use. By "secondary" use is meant that the nursing home shall~~ *The nursing home shall* contain no more than 50% of the total square footage of the elderly congregate housing component of the project. Kitchens, dining rooms, and other shared community space necessary to serve the elderly congregate housing shall be counted as part of the square footage of the elderly congregate housing even if they also will serve the nursing home.

~~10-A.2.3 All other uses, unless specifically provided for in the underlying zoning district are prohibited.~~

## ARTICLE 13

(NOTE: modular homes and manufactured housing are variations on the use "single-family dwelling." As such, it is not appropriate to have these listed as separate uses under the Residential Use Category. To clean up the use list, all standards relating to modular homes and manufactured housing are moved to Article 13. Article 13 is targeted by Comp Plan Policy 4.2.9 for being revised to bring it into conformity with State law, so I have incorporated overall changes to accomplish this goal as well. It makes the amendment much longer, but you can't really clean up the use lists without doing this. It would have been extremely messy to amend the existing section, so this is proposed as a comprehensive replacement of the entire article.)

Amend Article 13, Manufactured Housing and Mobile Home Parks, to remove this type of housing from the use regulations and to bring this section of the Ordinance into conformity with State law, as follows:

### ARTICLE THIRTEEN

### *MODULAR HOMES,* MANUFACTURED HOUSING AND ~~MOBILE HOME~~ *MANUFACTURED HOUSING* PARKS

*Modular homes and manufactured housing are construction types for dwellings and therefore are not listed as principal uses in Article 4. Standards pertaining to modular homes, manufactured housing and manufactured housing parks are established in this Article.*

### *13.1 Modular Homes*

*Modular homes shall be allowed in all places and subject to all requirements and restrictions as apply to a conventionally-constructed dwelling, subject to the following requirements:*

*A. If less than 28 feet in width, the long side of the modular home shall be generally parallel to the street.*

*B. The unit shall be placed on a permanent foundation which complies with building codes.*

*C. The unit shall have a pitched roof, with a pitch not less than 2 inches of rise per 12 inches of run.*

*D. The unit shall meet or exceed the minimum floor area required for dwelling units in the zone in which it is located, in zones where this is regulated.*

*E. A building permit shall be required prior to moving or locating a modular home, and compliance with the administrative provisions of §13.4 shall be required prior to issuance of this permit.*

### *13.2 Manufactured Housing*

*Outside a Manufactured Housing Park, manufactured housing shall be allowed in all places and subject to all requirements and restrictions as apply to a conventionally-constructed dwelling, subject to the following requirements for any unit moved into or within York:*

*A. Size. The minimum width of the unit shall be 14' and the minimum floor area of the unit shall be 750 square feet.*

*B. Width-Based Standards. If less than 28 feet in width:*

*1. The unit shall be permitted only in those areas where Manufactured Housing Parks are permitted (see §13.3, below), and the long side of the unit shall be generally parallel to the street; and*

2. *If located on a corner lot at the intersection of 2 streets, the unit shall have attached side construction such as a garage, breezeway or other room, that results in a minimum width of 28 feet of structure facing each street.*

C. *Foundation. The unit shall be placed on a permanent foundation which complies with building codes.*

D. *Roof. The unit shall have a pitched roof, with a pitch not less than 2 inches of rise per 12 inches of run.*

E. *Construction Standard. Manufactured housing units which are being moved into the Town of York shall comply with one of the following standards:*

1. *the unit was constructed after June 15, 1976 and its construction is certified by the US Department of Housing and Urban Development; or*

2. *the unit fully complies with State and Town residential construction, insulation, plumbing, electrical, and other codes as applicable to residential construction at the time the unit is moved into York.*

*Existing manufactured housing units which are lawfully located within York as of August 4, 1988, shall be permitted to remain, and may be moved to other locations within the Town.*

F. *Permit Required. A building permit shall be required prior to moving or locating a manufactured housing unit, and compliance with the administrative provisions of §13.4 shall be required prior to issuance of this permit.*

### *13.3 Manufactured Housing Parks*

*Manufactured housing parks shall be allowed subject to the following:*

A. *Location. Manufactured housing parks shall be located in accordance with the following criteria:*

1. *Base Zoning Districts. Any manufactured housing park shall be permitted within the GEN-2 zone, and those parks with 15 or less units of manufactured housing parks shall be permitted within that portion of the GEN-3 zone not located southeasterly of Ridge Road nor westerly of Old Post Road.*

2. *Overlay Districts. No manufactured housing parks shall be permitted within the Watershed Protection Overlay District or within the Shoreland Overlay District.*

B. *Density. The minimum size of the park shall be the sum of the following areas:*

1. *5,000 square feet per manufactured housing unit if served by public sewer, or 12,000 square feet per unit if served by a central on-site controlled septic system or systems, or 20,000 square feet per unit otherwise; plus*
1. *required road rights-of-way; plus*
2. *required buffer strips; plus*
3. *required open space; plus*
4. *any setbacks required for the Shoreland Overlay District.*

C. *Required Open Space. For a manufactured housing park served by public sewer, 10% of the total land area shall be reserved for recreational use of the park occupants. Such area shall generally be useful for the intended purpose (relatively flat and dry, and accessible to park occupants).*

D. *Required Perimeter Setbacks. Minimum lot setbacks applicable in the base zoning district shall apply around the perimeter of the lot on which the park is located. These standards shall not be applied to sites within the park.*

E. *Required Perimeter Buffers. A manufactured housing park shall establish and maintain a vegetated buffer strip of at least 50 feet in width along each portion of the external property boundary if density in the park is at least twice that of existing residential density on the adjacent lot, or if undeveloped is at least twice that of the maximum permitted residential density on that lot. No structures, streets or utilities shall be permitted within this buffer, except as necessary to gain access or provide service to the park and to maintain safe sight distances. The half of the buffer closest to the property boundary may be required to have additional plantings only to the extent required of other residential development.*

F. *Utilities. Above-ground utilities shall be allowed in parks.*

G. *Road and Traffic Issues.*

1. *Streets within a park shall be designed by a Maine-licensed Professional Engineer.*

2. *All manufactured housing units within a park shall have direct access only to internal streets, not onto adjacent roads outside the park.*
3. *Street design shall conform to all design and construction standards of the Site Plan and Subdivision Regulations and other Town codes, except as expressly superseded by Title 30-A MRSA §4358(3)(G).*

H. *Groundwater Impacts. The party developing or expanding a manufactured housing park shall have the burden of proof that the development will not pollute a public water supply or aquifer.*

I. *Miscellaneous Standards.*
1. *No dwelling units other than manufactured housing shall be permitted within a manufactured housing park.*
2. *Each unit of manufactured housing shall comply with the standard of §13.2.E regarding HUD certification and construction standards.*
2. *Conversion of a manufactured housing park to another use, or change of use of the units within the park shall require full compliance to all applicable regulatory standards such as lot size, density, and setbacks, and shall require prior approval of the Planning Board.*
3. *The land within a manufactured housing park shall remain a single lot and shall remain under unified management, provided park occupants shall have the right to establish some form of joint ownership and management of the park.*
4. *Establishment, expansion or modification of a manufactured housing park shall require approval of the Planning Board under the Site Plan and Subdivision Regulations.*
5. *A building permit from the CEO shall be required for installation, relocation, or modification of each unit of manufactured housing within a park*

### *13.4 Documentation of Tax Payment*

*Prior to issuance of a building permit for the location or relocation of any modular home or manufactured housing unit within the Town of York, the CEO shall require certification of payment of sales tax to the State of Maine in accordance with 30-A MRSA §4358(4).*

### *13.5 State Preemption*

*State law establishes certain standards for manufactured housing parks which are less restrictive than and supersede local standards. See §21.3 for treatment of conflicting provisions.*

(NOTE: The new language above is the new Article 13. The strikeout language below is the language being replaced.)

~~**13.1 Applicability**~~

~~These regulations shall apply to all manufactured housing to be located in the Town of York or moved from one part of the town to another.~~

~~**13.2 Permit Requirements**~~

~~13.2.1 Mobile Home Parks shall be regulated by the Town of York Planning Board in accord with this Article and all other applicable ordinances and regulations of the Town of York. Any Mobile Home Park shall have a Planning Board approved final plan before any building permit shall be issued by any office or agency of the Town of York. Except as approved by Section 13.8 of this Article such final plan shall be in accordance with all of the criteria requirements, design standards, and construction specifications set forth in the Town of York Planning Board Subdivision and Site Plan Regulations and any later amendments to those regulations, as well as any other Town ordinances or regulations which pertain.~~

~~13.2.2 No person, firm, corporation or other legal entity shall locate a manufactured home in the Town of York, or move a manufactured home from one lot or parcel of land to another, without a manufactured housing building permit from the Code Enforcement Officer. The Code Enforcement Officer shall issue the permit within 10 days of receipt of a written application and submission of proof that the manufactured home meets the requirements of this Article. In addition, a permit shall not be issued until a valid bill of sale indicating the name, address, dealer registration number and sales tax certificate number of the firm, corporation or person who sold or provided the manufactured housing to the buyer siting the unit is presented to the Code Enforcement Officer. If no valid bill of sale is presented to the Code Enforcement Officer, the applicant for a permit shall present evidence of certification of payment of the sales tax in accordance with Title 36 M.R.S.A., Section 1760, Sub section 40, and Section 1952 B.~~

~~**13.3 Prohibitions**~~

~~No person, firm, corporation or other legal entity shall initially locate, or move from one lot or parcel of land to another, an older mobile home, trailer, or a manufactured housing unit which fails to meet the requirements of Section 13.5.~~

~~**13.4 Non-Conforming Structures**~~

~~Manufactured housing units which fail to meet the standards set forth in Section 13.5, which are lawfully established prior to December 28, 1989, shall be considered non-conforming structures and may continue and may be maintained, repaired, improved, and expanded only if the expansion results in bringing the manufactured housing unit more in compliance with the standards of this Article. No non-conforming structure may be replaced by another non-conforming structure, but may be replaced by a manufactured home that meets the requirements of this Article. A non-conforming structure may be moved to a~~

~~different location on the same lot or parcel of land as long as all applicable standards of the particular Zoning District are met.~~

**~~13.5 Manufactured Housing Standards~~**

**~~13.5.1~~** ~~All manufactured housing proposed to be located within the Town or relocated from one lot to another within the Town, and built prior to June 15, 1976, shall meet the following safety standards.~~

~~13.5.1.1 Town of York Building Code and any other applicable codes and ordinances.~~

~~13.5.1.2 All electrical utilities shall comply with the National Electrical Code.~~

**~~13.5.2~~** ~~All manufactured housing proposed to be located within the Town after December 28, 1989, shall meet the following design requirements.~~

~~13.5.2.1 The minimum width shall be 14 feet.~~

~~13.5.2.2 All units shall contain a minimum area of 750 square feet of living space.~~

~~13.5.2.3 All units shall be placed on a permanent foundation which complies with the applicable requirements of the Town of York Building Code, except units located within a mobile home park may be placed on any one of the following.~~

~~a. A full, poured concrete or masonry foundation.~~
~~b. A poured concrete frost wall or a mortared masonry frost wall, with or without a concrete floor.~~
~~c. A reinforced, floating concrete pad for which the Code Enforcement Officer shall require an engineer's certification if it is to be placed on soil rated with a high potential for frost action in the Soil Interpretation Records of the U.S. Soil Conservation Service.~~
~~d. Any foundation which pursuant to the York Building Code is permitted for other types of single family dwellings.~~

~~13.5.2.4 All units shall have a pitched, shingled roof of not less than 3 inch rise per 12 inches of run, except units located in a mobile home park shall have a roof pitch of not less than 2 inches rise per 12 inches of run.~~

~~13.5.2.5 Exterior siding shall conform to any requirements for exterior siding of site-built housing in the Town of York.~~

**~~13.6 Location Requirements~~**

~~13.6.1 Manufactured housing units that are 14 feet to 27 feet in width (i.e., single wide manufactured homes) shall be permitted only in Zoning District GEN 2, and if located within a mobile home park, in those portions of Zoning District GEN 3 where mobile home parks are permitted.~~

~~13.6.2 Manufactured Housing units that are 28 feet wide or wider (i.e., double wide manufactured housing) shall be permitted in all Zoning Districts of the Town of~~

~~York to the same extent and under all the same zoning, building codes and any other applicable Town and State requirements as for site-built housing.~~

~~13.6.3 Historic District. Within any historic district adopted by the Town of York, all manufactured housing shall meet all requirements of the district.~~

~~13.6.4 Category A Mobile Home Parks shall be allowed after meeting all applicable criteria in all areas of Zoning District GEN 2, except not within the Watershed Protection Overlay District, and in that portion of Zoning District GEN 3 not located southeasterly of Ridge Road nor westerly of Old Post Road.~~

~~13.6.5 Category B Mobile Home Parks shall be allowed in all areas of Zoning District GEN 2, except within the Watershed Protection Overlay District.~~

**~~13.7 Dimensional Requirements~~**

~~The requirements of this section shall not apply to manufactured housing units located within a mobile home park.~~

**~~13.7.1 Lot Lay-out~~**

~~13.7.1.1 Any manufactured home less than 28 feet in width shall be placed with the long side facing the street, and shall comply with all lot area, frontage, coverage, setback and height requirements of the Zoning District within which it is located.~~

~~13.7.1.2 In addition, all manufactured homes less than 28 feet in width, located on a corner lot at the intersection of two streets, shall have attached side construction, i.e., garage and breezeway or room, that results in at least a 28 foot width of the manufactured home facing each of the two streets.~~

~~13.7.1.3 All manufactured housing 28 feet or greater in width shall comply with all applicable lot area, frontage, coverage, setback and height requirements for site-built housing in the Zoning Ordinances of the Town of York.~~

**~~13.7.2 Landscaping Requirements~~**

~~All landscaping requirements for manufactured housing shall comply with all landscaping requirements for site-built housing in the Town of York.~~

**~~13.8 Mobile Home Parks~~**

**~~13.8.1~~** ~~Except as stipulated below, mobile home parks shall meet all the requirements for a residential subdivision, and shall conform to all applicable State laws and local ordinances or regulations. Where the provisions of this section conflict with specific provisions in other sections of this Ordinance or the York Planning Board Subdivision and Site Plan Regulations, the provisions of this Section shall prevail. The above statement shall take priority over the provisions of Section 21.2.~~

**~~13.8.2 Lot Area and Lot Width Requirements~~**

~~Notwithstanding the dimensional requirements of the York Zoning Ordinance, lots in a mobile home park shall meet or exceed the following minimum lot area width requirements.~~

~~13.8.2.1 Lots served by public sewer: Min. lot area:6,500 square feet~~
~~Min. lot width: 50 feet~~

~~13.8.2.2 Lots served by individual subsurface waste water disposal systems~~

~~Min. lot area: 20,000 square feet~~
~~Min. lot width: 100 feet~~

~~13.8.2.3 Lots served by a central subsurface wastewater disposal system approved by the Maine Department of Human Services:~~

~~Min. lot area: 12,000 square feet~~
~~Min. lot width: 75 feet~~

~~NOTE: This provision does not replace or supersede any other municipal ordinances or regulations addressing central subsurface wastewater disposal systems.~~

~~13.8.2.4 The overall density of any park served by any subsurface waste water disposal system shall not exceed one dwelling unit per 20,000 square feet of total park area.~~

~~13.8.2.5 Lots located within the Shoreland Overlay District shall meet the lot area, lot width and shore frontage requirements for that district.~~

**~~13.8.3 Unit Setback Requirements~~**

~~13.8.3.1 On lots 10,000 square feet in area or larger, structures shall not be located less than 15 feet from any boundary lines of an individual lot. On lots less than 10,000 square feet in area, structures shall not be located less than 10 feet from any boundary lines of an individual lot. On lots within the Shoreland Overlay District, the side lot setback requirements shall be met.~~

~~13.8.3.2 On lots which abut a public way either within the park or adjacent to the park, or on lots which are located within the Shoreland Overlay District, structures shall meet the front setback and setback from high water mark requirements of the York Zoning Ordinance.~~

**~~13.8.4 Buffering~~**

~~13.8.4.1 If a park is proposed with a residential density at least twice the density of an adjacent development in existence, or at least twice the density permitted in the zoning district in which the park is located if the neighboring land is undeveloped, the park shall be designed with a continuous vegetated area not less than fifty feet in width which shall contain no structures or streets. The~~

~~first twenty five feet of the buffer strip, as measured from the exterior boundaries of the park shall contain evergreen shrubs and trees which form an effective year-round visual barrier to be located on all exterior lot lines of the park, except that driveways shall be kept open to provide visibility for vehicles entering and leaving the park.~~

~~13.8.4.2 If two or more mobile home parks abut one another, an undisturbed buffer strip measuring at least 50 feet in width for each mobile home park shall also be maintained along abutting property lines.~~

**~~13.8.5 Open Space Reservation~~**

~~An area no less than 10% of the total area of those lots with a lot area of 10,000 square feet or less shall be reserved as open space. The area reserved as open space shall be suitable to be used for recreational purposes. Generally, the reserved open space shall have slopes less than 5%, shall not be located on poorly or very poorly drained soils, and shall be accessible directly from roads within the park.~~

**~~13.8.6 Road Design, Circulation and Traffic Impacts~~**

~~Streets within a park shall be designed by a Professional Engineer, registered in the State of Maine.~~

~~13.8.6.1 Streets which the applicant proposes to be dedicated as public ways shall be designed and constructed in accordance with the standards for streets in the York Planning Board Subdivision and Site Plan Regulations and the Town Road Specifications.~~

~~13.8.6.2 Streets which the applicant proposes to remain private ways shall meet the following minimum geometric design standards.~~

~~a. Minimum right of way width: 23 feet~~
~~b. Minimum width of pavement: 20 feet~~

~~13.8.6.3 Any mobile home park containing more than 14 housing units shall have at least two street connections with existing public streets. Any street within a park serving more than 14 housing units, shall have at least two street connections leading to existing public streets, other streets within the park or other streets shown on an approved subdivision plan.~~

~~13.8.6.4 No individual lot within a park shall have direct vehicular access onto an existing public street.~~

~~13.8.6.5 The public street onto which the mobile home park gains access shall have a minimum paved surface width of 20 feet for mobile home parks with less than fifty housing units, and a minimum paved surface width of 24 feet for mobile home parks with fifty or more housing units.~~

~~13.8.6.6 The intersection of any street within a park and an existing public street shall meet the following standards.~~

a. Angle of intersection. The desired angle of intersection shall be 90 degrees. The minimum angle of intersection shall be 75 degrees.
b. Maximum Grade within 75 feet of Intersection. The maximum permissible grade within 75 feet of the intersection shall be 2%.
c. Minimum Sight Distance. A minimum sight distance of 10 feet for every mile per hour of posted speed limit on the existing road shall be provided. Sight distances shall be measured from the driver's seat of a vehicle that is 10 feet behind the curb or edge of shoulder line with the height of the eye 3 1/2 feet above the pavement and the height of object 4 1/4 feet.
d. Distance from Other Intersections. The center line of any street within a park intersecting an existing public street shall be no less than 125 feet from the center line of any other street intersecting that public street.

13.8.6.7 The application shall contain an estimate of the average daily traffic projected to be generated by the park. Estimates of traffic generation shall be based on the Trip Generation Manual, 1987 edition, published by the Institute of Transportation Engineers. If the park is projected to generate more than 400 vehicle trip ends per day, the application shall also include a traffic impact analysis, by a registered professional engineer with experience in transportation engineering.

**13.8.7 Ground Water Impacts**

13.8.7.1 Assessment Submitted. Accompanying the application for approval of any mobile home park which is not served by public sewer shall be an analysis of the impacts of the proposed mobile home park on ground water quality. The hydrogeologic assessment shall be prepared by a Certified Geologist or Registered Professional Engineer, experienced in hydrogeology and shall contain at least the following information.

a. A map showing the basic soils types.
b. The depth to the water table at representative points throughout the mobile home park.
c. Drainage conditions throughout the mobile home park.
d. Data on the existing ground water quality, either from test wells in the mobile home park or from existing wells on neighboring properties.
e. An analysis and evaluation of the effect of the mobile home park on ground water resources. The evaluation shall, at a minimum, include a projection of post development nitrate nitrogen concentrations at any wells within the mobile home park, at the mobile home park boundaries and at a distance of 1000 feet from potential contamination sources, whichever is a shorter distance. For mobile home parks within the watershed of a lake, projections of the development's impact on ground water phosphate concentrations shall also be provided.
f. A map showing the location of any subsurface waste water disposal systems and drinking water wells within the mobile home park and within 200 feet of the mobile home park boundaries.

~~13.8.7.2 Standards for Acceptable Ground Water Impacts.~~

~~a. Projections of ground water quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).~~

~~b. No mobile home park shall increase any contaminant concentration in the ground water to more than one half of the Primary Drinking Water Standards. No mobile home park shall increase any contaminant concentration in the ground water to more than the Secondary Drinking Water Standards.~~

~~c. If ground water contains contaminants in excess of the primary standards, and the mobile home park is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated.~~

~~d. If ground water contains contaminants in excess of the secondary standards, the mobile home park shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentrations.~~

~~13.8.7.3 Subsurface waste water disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the Plan.~~

~~**13.8.8** Mobile home parks with more than fifty housing units shall be within a two mile radius from a fire station unless the appropriate fire chief has approved, in writing, the proposed on-site fire protection facilities.~~

~~**13.8.9 Balance of Housing Opportunities.**~~

~~13.8.9.1 No additional mobile home parks will be permitted in District GEN 2 if and when the total number of lots for manufactured housing units located on mobile home parks exceeds 20% of the total dwelling units in the GEN 2 district.~~

~~13.8.9.2 No additional mobile home parks will be permitted in that portion of District GEN 3 defined in Article 3, Section 3.7.3.1 where mobile home parks are permitted if and when the total number of lots for manufactured housing units located in mobile home parks exceeds 10% of the total dwelling units in that portion of district GEN 3 where mobile home parks are permitted.~~

~~**13.8.10** No development or subdivision which is approved under this Section as a mobile home park may be converted to another use without the approval of the Planning Board, and meeting the appropriate lot size, lot width, setback and all other requirements of the Town's ordinances and subdivision regulations. The plan to be recorded at the Registry of Deeds and filed with the municipality shall include the following restrictions as well as any other notes or conditions of approval.~~

~~13.8.10.1 The land within the park shall remain in a unified ownership and the fee to lots or portions of lots shall not be transferred.~~

~~13.8.10.2 No dwelling unit other than a manufactured housing unit shall be located within the park.~~

~~**13.9 Appeals**~~

~~The procedure for appeals from decisions made under the provisions of this Article can be found in Section 18.8.~~

# ARTICLE 18

Amend the administrative provisions of §18.1 for the issuance of Route One Use Permits, as follows:

## 18.1 Route One Use Permits - Applicable to Route One-1, Route One-2, Route One-3, Route One-4, Route One-5 and Route One-6 Zoning Districts

### *18.1.1 Route One Use Permit ~~Authorization~~*

*As used throughout this Ordinance, a Route One Use Permit is a permit issued by the CEO or an approval issued by the Planning Board for the establishment, modification or expansion of a use within any of the Route One base zones.*

~~The Code Enforcement Officer and the Planning Board are hereby authorized to hear and decide upon applications for Route One Use Permits in Districts Route One-1, Route One-2, Route One-3, Route One-4, Route One-5 and Route One-6 in accordance with State law and the provisions of this Article. The decision of the Code Enforcement Officer or the Planning Board may be appealed to the Board of Appeals, and thence to Superior Court.~~

### 18.1.2 *Jurisdiction* ~~**Powers and Duties**~~

The Code Enforcement Officer shall process and approve~~, approve with modifications or conditions,~~ or deny all applications for Route One Use Permits on which the Officer is empowered to act pursuant to *Article 4, Use Regulations.* ~~the Schedule of Use Regulations, Article 4, Section 4.1.4.~~ The Code Enforcement Officer is also empowered to administratively review and approve applications to establish a new non-residential use or to change from one non-residential use to another, provided: the use occupies not more than 2,500 square feet of floor area of an existing building; the use does not have outside storage or display; the use does not involve the sale or lease of vehicles; the change does not create or worsen any non-conformity; impervious surfaces remain unchanged or are reduced; and the applicant is subject to the same performance standards which would apply for an application to the Planning Board. The Planning Board shall hear and approve, approve with modifications or conditions, or deny all applications for Route One Use Permits on which it is empowered to act pursuant to *Article 4, Use Regulations,* ~~the Schedule of Use Regulations, Article 4, Section 4.1.4,~~ except as noted above. No Route One Use Permit shall be issued unless authorization for it is made in this Ordinance.

### 18.1.3 Activities Requiring Use Permits

A Route One Use Permit shall be required for any proposed land use or activity so indicated in *Article 4, Use Regulations.* ~~the Schedule of Use Regulations, Article 4, Route One Zoning Districts, Section 4.1.4.~~ A Route One Use Permit shall also be required for any proposed change in land-use ~~category (as described in the Schedule of Use Regulations)~~ and for the resumption of any conforming use which has been discontinued for ~~two (2)~~ years or more.

### 18.1.4 Application Procedure

#### 18.1.4.1 Permit Issued by the Code Enforcement Officer

See §18-A.4.

#### 18.1.4.2 Permit Issued by the Planning Board

Applications submitted to the Planning Board shall be reviewed under the Site Plan and Subdivision Regulations. If the design and/or performance standards of the Zoning Ordinance are in conflict with those of the Site Plan & Subdivision Regulations, the standards of the Zoning Ordinance shall apply.

## ARTICLE 21

Amend §21.3 pertaining to conflicting ordinance requirements, as follows:

**21.3** Exception to Sections 21.1 and 21.2 above: *modular homes, manufactured housing and manufactured housing parks* ~~Manufactured housing units and mobile home parks~~ governed by Article 13 shall comply with all ordinances and regulations in the Town of York. Where specific provisions of Article 13 conflict with other parts of this Ordinance, or with other Ordinances, the provisions of Article 13 shall prevail. (NOTE: the language of this section just needs simple clean up to mirror the new terminology of Article 13 as revised.)

Recommended by the Planning Board:
Recommended by the Board of Selectmen:

# TOWN OF YORK
# BUDGET REFERENDUM WARRANT
# ARTICLES TO BE ACTED UPON AT THE BUDGET REFERENDUM
# YORK, MAINE MAY 19, 2012

TO: Douglas P. Bracy, Constable of the Town of York, Maine

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of York, in said County, qualified by law to vote in Town affairs, to meet at the Robert E. Butler Gymnasium at York High School on Saturday, May 19, 2012 between the hours of 8:00 o'clock in the forenoon and 8:00 o'clock in the evening, then and there to act on Articles One through Fifty-Nine said articles being set out below to wit:

**ONE: To elect the following:**

**Two (2) Selectmen and Overseers of the Poor – Three-Year Term**

**Two (2) Members Superintending School Committee – Three-Year Term**

**One (1) Trustee for York Water District - Five-Year Term**

**One (1) Trustee for York Sewer District - Five-Year Term**

**Three (3) Members Budget Committee - Three-Year Term**

**One (1) Town Clerk / Tax Collector – Three-Year Term**

**TWO**: Shall the Town require the first payment of taxes (1/2 of taxes) to be paid not later than forty-five days from date of mailing; second payment (1/2 of taxes) to be paid by February 8, 2013. Taxes not paid by these dates shall be charged interest at the rate of 7% per annum.

Board of Selectmen recommends approval ( ).

YES ____ NO ____

**THREE**: Shall the Town set an interest rate of 3% per annum to reimburse taxpayers for taxes determined in FY2013 to have been overpaid or abated?

Board of Selectmen recommends approval ( ).

YES ____ NO ____

**MUNICIPAL OPERATING BUDGET FISCAL YEAR 2013**

Preface: The Municipal Operating Budget presented here has been approved by the Budget Committee and reviewed by the Board of Selectmen. Their recommendations are shown separately under each article.

**IF THE MAJORITY OF VOTERS VOTE IN THE NEGATIVE ON AN ARTICLE, THE BUDGET AMOUNT WILL REVERT EITHER TO THE FY2012 APPROPRIATION OR TO $0.**

**FOUR:** Shall the Town raise and appropriate a sum not to exceed **$2,113,878 for the Town Manager's Department, Finance Department, Information Technology, Human Resources, Assessor's Department, Community Development Department, Town Clerk/Tax Collector's Department, Elections, Town Hall Operations and Maintenance, Printing and Records Management, Earned Account, Circuit Breaker, Academic Reimbursement, and Contingency,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

| Department | FY2012 | FY2013 |
|---|---|---|
| Town Manager's Department | $ 238,649 | $ 251,083 |
| Finance Department | $ 430,658 | $ 233,757 |
| Information Technology | $ 0 | $ 187,292 |
| Human Resources | $ 0 | $ 108,986 |
| Assessor's Department | $ 288,451 | $ 292,932 |
| Community Development | $ 334,055 | $ 393,175 |
| Town Clerk/Tax Collector | $ 338,021 | $ 333,676 |
| Elections | $ 31,805 | $ 25,043 |
| Town Hall Operations/Maintenance | $ 256,838 | $ 165,934 |
| Printing/Records Mgmt. | $ 10,000 | $ 0 |
| Earned Account | $ 20,000 | $ 20,000 |
| Circuit Breaker | $ 50,000 | $ 50,000 |
| Academic Reimbursement | $ 2,000 | $ 2,000 |
| Contingency | $ 50,000 | $ 50,000 |
| **Total** | **$2,050,477** | **$2,113,878** |

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$2,113,878.**

A **NO** vote authorizes the previous year's appropriation of **$2,050.477.**

YES ____ NO ____

**FIVE:** Shall the Town raise and appropriate a sum not to exceed **$1,762,896 for Debt Service,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$1,762,896.**

A **NO** vote authorizes the previous year's appropriation of **$1,109,827.**

YES ____ NO ____

**SIX:** Shall the Town raise and appropriate a sum not to exceed **$5,000 for Unemployment Costs,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Town is self-insured and pays unemployment claims as they arise. Any unspent funds from this account may be carried forward to future years because expenditures are unpredictable.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$5,000.**

A **NO** vote authorizes the previous year's appropriation of **$2,000.**

YES ___ NO ____

**SEVEN:** Shall the Town raise and appropriate a sum not to exceed **$339,303 for Property, Health Contingency, Liability and Workers' Compensation Insurance,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$339,303.**

A **NO** vote authorizes the previous year's appropriation of **$417,000.**

YES ___ NO ____

**EIGHT:** Shall the Town raise and appropriate a sum not to exceed **$3,806,145 for the Police Department, Communications, Animal Control and Harbor Management and to authorize the Selectmen to expend any revenues received for dispatching and other Public Safety services,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

| Department | FY2012 | FY2013 |
|---|---|---|
| Police | $3,041,959 | $3,146,973 |
| Communications | $ 530,865 | $ 565,151 |
| Animal Control | $ 32,719 | $ 38,717 |
| Harbor Management | $ 47,041 | $ 55,304 |
| **Total** | **$3,652,584** | **$3,806,145** |

**Statement of Fact:** The Town of York provides dispatching services for the Town of Ogunquit and PSAP (Public Safety Answering Point) E911 service for several surrounding towns, for which the Town will receive approximately $318,000. In addition, the Police Department provides outside services for which it expects to receive approximately $110,000 in revenues. These revenues are reflected in the budget request shown in this article.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$3,806,145.**

A **NO** vote authorizes the previous year's appropriation of **$3,652,584.**

YES ___ NO ____

**NINE:** Shall the Town raise and appropriate a sum not to exceed **$68,000 for the Vehicle Replacement Account for Police Vehicles,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

| Budget Item | FY2012 | FY2013 |
|---|---|---|
| Police Vehicles | $ 58,000 | $ 68,000 |
| **Total** | **$ 58,000** | **$ 68,000** |

**Statement of Fact:** Police vehicles are replaced by utilizing a replacement guideline that provides the flexibility to allow purchases to be made at the most opportune times and to get the best prices.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$68,000.**

A **NO** vote authorizes the previous year's appropriation of **$58,000.**

YES ___ NO ____

**TEN:** Shall the Town raise and appropriate a sum not to exceed **$927,586 for the York Village and York Beach Fire Departments and for Volunteer Firefighter Training,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

| Department | FY2012 | FY2013 |
|---|---|---|
| Village Fire Dept. | $453,003 | $474,214 |
| York Beach Fire Dept. | $424,864 | $453,372 |
| Volunteer Firefighter Training | $ 9,800 | $ 0 |
| **Total** | **$887,667** | **$927,586** |

**Statement of Fact:** Volunteer Firefighter Training has been incorporated into the Village Fire Department and York Beach Fire Department budgets.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$927,586.**

A **NO** vote authorizes the previous year's appropriation of **$887,667.**

YES ___ NO ____

**ELEVEN:** Shall the Town raise and appropriate a sum not to exceed **$856,500 for Hydrants for Fire Protection,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$856,500.**

A **NO** vote authorizes the previous year's appropriation of **$856,500.**

YES ____ NO ____

**TWELVE:** Shall the Town raise and appropriate a sum not to exceed **$11,978 for Public Access Broadcast,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This is the only funding that provides for stipends for cameramen and repairs and maintenance of broadcast equipment.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval (____).

A **YES** vote authorizes an expenditure of **$11,978.**

A **NO** vote authorizes the previous year's appropriation of **$7,500.**

YES ____ NO ____

**THIRTEEN:** Shall the Town raise and appropriate a sum not to exceed **$40,000 for a one-year contract with the York Ambulance Association,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Board of Directors of the York Ambulance Association has contracted with the Town to offset operating expenses for the York Ambulance Association.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval (___).

A **YES** vote authorizes an expenditure of **$40,000.**

A **NO** vote authorizes the previous year's appropriation of **$40,000.**

YES ____ NO ____

**FOURTEEN:** Shall the Town raise and appropriate a sum not to exceed **$2,843,520 for General Maintenance of Town Roads and Bridges, Tree Care & Planting, Streetlights and Signals, Traffic Lights, White Goods Disposal, Solid Waste Disposal, and Household Hazardous Waste Disposal and expend any revenues received,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

| Department | FY2012 | FY2013 |
|---|---|---|
| Gen. Maintenance Town Roads & Bridges | $1,166,231 | $1,230,297 |
| Tree Care & Planting | $ 27,010 | $ 27,510 |
| Streetlights and Signals | $ 110,000 | $ 130,000 |
| Traffic Lights | $ 2,100 | $ 2,100 |
| White Goods Disposal | $ 72,713 | $ 74,613 |
| Solid Waste Disposal | $1,350,000 | $1,350,000 |
| Household Hazardous Waste Disposal | $ 29,000 | $ 29,000 |
| **Total** | **$2,757,054** | **$2,843,520** |

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$2,843,520.**

A **NO** vote authorizes the previous year's appropriation of **$2,757,054.**

YES ____ NO ____

**FIFTEEN:** Shall the Town raise and appropriate a sum not to exceed **$1,129,570 for FY2013 Winter Maintenance and Snow Removal and to authorize the Board of Selectmen and Treasurer to transfer an amount not to exceed $100,000 from the unappropriated Fund Balance in the event winter weather conditions necessitate an over-expenditure of budgeted funds for the purpose of winter maintenance,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval (___).

A **YES** vote authorizes an expenditure of **$1,129,570.**

A **NO** vote authorizes the previous year's appropriation of **$1,079,367.**

YES ____ NO____

**SIXTEEN:** Shall the Town raise and appropriate a sum not to exceed **$25,000 for the continuing construction and maintenance of Bell Marsh Road,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-1).
Board of Selectmen recommends approval (__).

A **YES** vote authorizes an expenditure of **$25,000.**

A **NO** vote authorizes the previous year's appropriation of **$25,000.**

YES ___ NO ____

**SEVENTEEN:** Shall the Town raise and appropriate a sum not to exceed **$40,000 for the purchase of a one-ton pick-up with plow,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (6-1).
Board of Selectmen recommends approval (___).

A **YES** vote authorizes an expenditure of **$40,000.**

A **NO** vote authorizes the previous year's appropriation of **$0.**

YES ___ NO ____

**EIGHTEEN:** Shall the Town raise and appropriate a sum not to exceed **$537,409 for the paving of town roads,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval (___).

A **YES** vote authorizes an expenditure of **$537,409.**

A **NO** vote authorizes the previous year's appropriation of **$417,600.**

YES ___ NO ___

**NINETEEN:** Shall the Town raise and appropriate a sum not to exceed **$132,808 for the maintenance of school grounds and athletic Fields,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval (___).

A **YES** vote authorizes an expenditure of **$132,808.**

A **NO** vote authorizes the previous year's appropriation of **$126,016.**

YES ___ NO ___

**TWENTY:** Shall the Town raise and appropriate a sum not to exceed **$595,721 for the maintenance of buildings, grounds and beaches,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$595,721.**

A **NO** vote authorizes the previous year's appropriation of **$561,954.**

YES ___ NO ___

**TWENTY-ONE:** Shall the Town raise and appropriate a sum not to exceed **$31,000 for a four wheel drive pick up truck,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This is a scheduled replacement of a 2002 GMC pick up truck used year-round by the Parks Department.

Budget Committee recommends approval (6-1).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$31,000.**

A **NO** vote authorizes an appropriation of **$0.**

YES ___ NO ___

**TWENTY-TWO:** Shall the Town raise and appropriate a sum not to exceed **$3,110 for a diesel tractor,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This is a scheduled replacement of a 2002 John Deere F687 for the Parks Department used for mowing and maintaining Town property. A five-year lease/purchase of the tractor is proposed, and includes a cost of $3,110 per year for a total of $15,550 over the five-year period.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$3,110.**

A **NO** vote authorizes an appropriation of **$0.**

YES ___ NO ___

**TWENTY-THREE:** Shall the Town raise and appropriate a sum not to exceed **$25,250 for the Mt. A Conservation Coordinator,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact**: The Mt. A Conservation Coordinator is responsible for grant development and management, overall supervision of the Mt. A trails system, planning trail management, and directing trail remediation crews. In addition, this position coordinates support and donations in the amount of **$33,450** from regional environmental groups, the York Water District and the town of South Berwick to cover the total cost of the position, which is **$60,474.**

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$25,250.**

A **NO** vote authorizes the previous year's appropriation of **$25,250.**

YES ___ NO ___

**TWENTY- FOUR:** Shall the Town raise and appropriate a sum not to exceed **$37,076 for maintenance of the Short Sands Park Bathhouse,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$37,076.**

A **NO** vote authorizes the previous year's appropriation of **$37,076.**

YES ___ NO ___

**TWENTY-FIVE:** Shall the Town raise and appropriate a sum not to exceed **$450,218 for the operation of the Library,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$450,218.**

A **NO** vote authorizes the previous year's appropriation of **$450,218.**

YES ____ NO ____

**TWENTY-SIX:** Shall the Town raise and appropriate a sum not to exceed **$280,421 for the Senior Citizens' Center and General Assistance Program,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

| Department | FY2012 | FY2013 |
|---|---|---|
| Senior Center | $231,534 | $244,920 |
| General Assistance | $ 35,501 | $ 35,501 |
| **Total** | **$267,035** | **$280,421** |

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$280,421.**

A **NO** vote authorizes the previous year's appropriation of **$267,035.**

YES ___ NO ____

**TWENTY-SEVEN:** Shall the Town raise and appropriate a sum not to exceed **$37,200 for Social Services and authorize the Board of Selectmen to reduce this amount if recommended by the Municipal Social Service Review Board,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

| Agency | Amount Recommended by the Social Services Committee |
|---|---|
| Aids Response Seacoast | $ 1,500 |
| American Red Cross of So. Maine | $ 2,800 |
| Caring Unlimited | $ 3,500 |
| Counseling Services, Inc. | $ 2,800 |
| Cross Roads House | $ 2,000 |
| Ethel's Tree of Life, Inc. | $ 250 |
| Home Health/Visiting Nurses of So. Maine | $ 1,100 |
| Hospice of York | $ 1,500 |
| Kids Free to Grow (Formerly Child Abuse Prevention Council) | $ 1,000 |
| Sexual Assault Response Services | $ 250 |
| Southern Maine Agency on Aging (Includes Southern Y.C. Meals on Wheels) | $ 8,800 |
| Southern Maine Parent Awareness | $ 1,000 |
| York County Community Action Corp. | $ 6,000 |
| York County Food Rescue | $ 1,200 |
| York County Shelter Programs, Inc. | $ 3,500 |
| **Total** | **$ 37,200** |

**Statement of Fact:** The Board of Selectmen appointed a Municipal Social Service Review Board to review all of the Social Service requests from agencies serving York residents. This list is a compilation of the committee's recommendations.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$37,200.**

A **NO** vote authorizes an appropriation of **$0.**

YES ____ NO ____

**TWENTY-EIGHT:** Shall the Town raise and appropriate a sum not to exceed **$54,310 for the Board of Selectmen, Veterans' Graves, Cemetery, Cable TV Regulatory Commission, Conservation Commission, Historic District Commission, Recycling Committee, Shellfish Commission, Appeals Board, Budget Committee, and Planning Board,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

| Committee | FY 2012 | FY 2013 |
|---|---|---|
| Board of Selectmen | $ 13,780 | $ 24,880 |
| Veterans' Graves | $ 3,000 | $ 3,000 |
| Cemetery | $ 4,000 | $ 4,000 |
| Cable TV Regulatory Comm. | $ 400 | $ 400 |
| Conservation Commission | $ 2,830 | $ 2,830 |
| Historic District Commission | $ 1,040 | $ 1,040 |
| Recycling Committee | $ 1,000 | $ 1,000 |
| Shellfish Commission | $ 1,725 | $ 1,725 |
| Appeals Board | $ 6,535 | $ 6,535 |
| Budget Committee | $ 100 | $ 100 |
| Planning Board | $ 8,800 | $ 8,800 |
| **Total** | **$ 43,210** | **$ 54,310** |

**Statement of Fact:** Board of Selectmen's increase is due to reallocation of Maine Municipal Association dues.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$54,310.**

A **NO** vote authorizes the previous year's appropriation of **$ 43,210.**

YES ___ NO ____

**TWENTY-NINE:** Shall the Town raise and appropriate a sum not to exceed **$131,187 for the Recreation Department and authorize the Selectmen to expend all revenues generated by the Recreation Programs,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This Article represents that portion of the Recreation Department budget supported by tax appropriations, which fund the 1.5 full-time positions necessary for administration of the program.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote: 1) authorizes a tax appropriation of **$131,187** as proposed by the Budget Committee; and 2) authorizes the expenditure of all revenues generated by the Recreation Programs in FY2013, which are estimated to be $445,000.

A **NO** vote: 1) authorizes the previous year's tax appropriation of **$127,879;** and 2) authorizes the expenditure of all FY2013 revenues generated by the Recreation Programs.

YES ____ NO _____

**THIRTY:** Shall the Town appropriate **all revenues generated by the Grant House at Goodrich Park, Mount Agamenticus, and Sohier Park, which are estimated to be $342,076, for the operation and maintenance of the aforementioned properties,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** This request represents no expenditure of tax dollars.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( )

A **YES** vote authorizes the expenditure of all revenues generated in FY2013, which are estimated to be **$342,076**.

A **NO** vote authorizes the expenditure of all FY2012 revenues.

YES ___ NO____

**THIRTY-ONE:** Shall the Town appropriate **9.5% of the revenues generated by parking ticket collections and parking permits to pay the cost of cleaning and maintaining the bathhouse at Harbor Beach,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The Town maintains the bathhouse at Harbor Beach and this article allows those costs to be covered by beach revenues rather than by tax appropriation.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes the expenditure of 9.5% of the revenues generated by parking ticket collections and parking permits in FY2013, which are estimated to be **$14,135.**

A **NO** vote authorizes the expenditure of FY2012 revenues.

YES ___ NO____

**THIRTY-TWO:** Shall the Town fund **the Beach Reserve Account with 14% of the revenues generated by parking meter collections, and 4.5% of revenues generated by parking permits and parking ticket collections,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget as proposed by the Budget Committee?

**Statement of Fact:** The Board of Selectmen determined that revenues collected from parking meters can only be expended for qualified projects, and therefore the Beach Reserve Account will be funded by 14% of revenues generated by parking meter collections, and 4.5% of revenues generated by parking permits and parking ticket collections, estimated to be $47,500. Future expenditures will be authorized by a budget referendum warrant article.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes the collection of 14% of the revenues generated by parking meter collections, and 4.5% of revenues generated by parking permits and parking ticket collections in FY2013, which are estimated to be **$47,500**.

A **NO** vote authorizes the collection of FY2013 revenues.

YES ___ NO____

**THIRTY-THREE:** Shall the Town raise and appropriate a sum not to exceed **$40,000 for the purpose of conducting a Mosquito Control Program for FY2013,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget as proposed by the Budget Committee?

**Statement of Fact:** This is a community-based program conducted to reduce mosquito-borne and tick-borne diseases, and is designed to minimize human risk by utilizing various prevention strategies.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$40,000.**

A **NO** vote authorizes the previous year's appropriation of **$40,000.**

YES ___ NO ____

**THIRTY-FOUR:** Shall the Town authorize the use of up to **$100,000 from the Town's fund balance for the Supplementary Contingency Account if deemed necessary by the Board of Selectmen,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** If approved by voters, up to $100,000 from the Town's fund balance will be available by majority vote of the Board of Selectmen to be used only for emergencies and opportunities which are unknown to the Board at the time of budget preparation, and which are recognized as Town responsibilities or are deemed by the Board to be in conformity with the Comprehensive Plan or latest Capital Plan.

Examples include (but are not limited to):

- A down payment or earnest money for securing unusual buying opportunities for parcels of land, buildings, or significant capital assets; to hold such potential purchase under contract until the next viable opportunity to offer the choice to the voters in a referendum;

- Unforeseen and therefore unbudgeted environmental or weather related repairs or precautions;
- Unusual or unpredicted spikes in the costs of materials or goods regularly purchased by the Town and declared essential by the Board.

In an uneventful year, it would be expected that none of the available money would be expended.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes the expenditure from the fund balance of up to **$100,000,** if necessary, to cover supplementary contingencies.

A **NO** vote authorizes the previous year's authorization to use up to **$100,000** from the fund balance, if necessary, to cover supplementary contingencies.

YES ____ NO____

**THIRTY-FIVE:** Shall the Town raise and appropriate a sum estimated to be **$4,415,880 consisting of the estimated revenues listed below for FY2013, and apply such funds to the FY2013 Tax Commitment?**

| | |
|---|---|
| Auto Excise | $ 2,680,000 |
| Boat Excise | 27,000 |
| R/E Interest | 135,000 |
| Town Clerk Fees | 95,000 |
| Miscellaneous Income | 55,000 |
| Plumbing Inspection Fees | 30,000 |
| Appeals Board Fees | 3,500 |
| Lien Administrative Fees | 2,500 |
| Ordinance Fines | 2,000 |
| Meter Collections | 200,000 |
| Tickets/Meter Fines | 110,000 |
| Parking Stickers | 87,500 |
| Bad Check Charges | 750 |
| Ellis Park | 29,000 |
| Revenue Sharing | 455,000 |
| General Assistance Reimbursement | 9,000 |
| Investment Interest | 115,000 |
| Cable TV Franchise Fees | 175,000 |
| Photocopies | 1,500 |
| Local Roads Subsidy | 165,000 |
| Refrigerant Disposal Fee | 3,130 |
| Transfer Station Permits | 35,000 |
| **Total** | **$ 4,415,880** |

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes the use of **$4,415,880** to reduce the tax commitment.

A **NO** vote authorizes the use of the previous year's use of **$4,415,880** in revenues to reduce the tax commitment.

YES ____ NO____

**THIRTY-SIX:** Shall the Town appropriate **$650,000 from the Fund Balance and apply these funds to the FY2013 Tax Commitment as a reduction in the amount to be raised from taxation**, as proposed by the Board of Selectmen?

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an appropriation from the fund balance of **$650,000** to reduce the tax commitment.

A **NO** vote authorizes the previous year's appropriation from the fund balance of **$790,000.**

YES ____ NO____

**THIRTY-SEVEN:** Shall the Town authorize the Board of Selectmen to **accept grants, donations and aid from State and Federal Agencies, as well as private sources, such as Foundations, Trusts and Individuals,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

Board of Selectmen recommends approval ( ).

YES ____ NO ____

**THIRTY-EIGHT:** Shall the Town authorize the Board of Selectmen to **make one of the following decisions for each Tax Lien Acquired Property?**

1. To dispose of the property by allowing the immediate former owner, or the immediate former owner's estate, to buy back title to the property from the Town. Buy-back of the property shall require: payment of all taxes due plus interest and lien costs; payment of all other costs; and an amount determined by the Board of Selectmen of up to ten (10%) percent of the then current assessed valuation as set by the Tax Assessor; and satisfaction of all other conditions established by the Board of Selectmen.
2. To dispose of the property by public sealed bid auction or other public process.
3. To dispose of the property by conducting a limited public sale among the parties who own property that directly abuts this property.
4. To hold Town title to the property.

The decision of the Board of Selectmen to use any of the above options shall adhere to the Board of Selectmen Procedural Policy for the Disposition of Foreclosed Property.

Board of Selectmen recommends approval ( ).

YES ____ NO ____

**THIRTY-NINE:** Shall the Town authorize the Town Treasurer to **waive foreclosure of any tax lien during the 2012 and 2013 calendar years**, said waiver requiring approval of the Board of Selectmen? The Board of Selectmen shall grant said approval only in circumstances where foreclosures would prove injurious to the Town

of York, such as, but not limited to, the presence of hazardous waste upon the property, or the presence on the property of one or more substandard structure(s) for which the cost of removal or repair would exceed the value of the property?

Board of Selectmen recommends approval ( ).

YES ___ NO___

## MUNICIPAL AND SCHOOL CAPITAL PLAN

**FORTY**: Shall the Town (1) approve the construction of drainage improvements on Long Beach Avenue; and (2) appropriate a sum not to exceed $350,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $350,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $5,688 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: This article would approve funding for the replacement of an existing culvert under Long Beach Avenue and would add a new outlet structure on Long Sands Beach.

FINANCIAL STATEMENT

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 350,000 |
| Total | $ 28,934,265 |

Costs:

At an estimated interest rate of 3.25% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 350,000 |
| Interest | 119,440 |
| Total Debt Service | $ 469,440 |

Total estimated project costs including debt service: $469,440

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (6-1).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FORTY-ONE:** Shall the Town (1) approve the construction of improvements at the York Village Fire Department Station; and (2) appropriate a sum not to exceed $455,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $455,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $7,394 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: This article would approve funding for the York Village Fire Department building improvements including Phase One for the improvements to the front apparatus bay, and Phase Two for the construction of an enclosed apparatus bay at the rear of the building.

FINANCIAL STATEMENT

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 455,000 |
| Total | $ 29,039,265 |

Costs:

At an estimated interest rate of 3.25% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 455,000 |
| Interest | 155,270 |
| Total Debt Service | $ 610,270 |

Total estimated project costs including debt service: $610,270

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FORTY-TWO:** Shall the Town (1) approve funding to assist York Land Trust in the purchase of approximately 10 acres of open space property located on Plaisted Road adjacent to the Spur Road and known as the Plaisted Field or the Bovine Field; and (2) appropriate a sum not to exceed $300,000 for the costs of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including

temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $300,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $4,875 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: In 2003, York Land Trust acquired a ten-year purchase option on the Plaisted Field property. This article would approve funding for the purchase of Plaisted Field in order to permanently protect the property from development. Fundraising by York Land Trust along with matching funds from Maine Community Foundation Stand Up to Be Counted Fund will contribute an additional $100,000 necessary to cover the purchase and other project-related costs.

FINANCIAL STATEMENT

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 300,000 |
| Total | $ 28,884,265 |

Costs:

At an estimated interest rate of 3.25% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 300,000 |
| Interest | 102,375 |
| Total Debt Service | $ 402,375 |

Total estimated project costs including debt service: $402,375

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FORTY-THREE:** Shall the Town (1) approve funding for Alternate Energy Solutions and Energy Efficiency Solutions; and (2) appropriate a sum not to exceed $100,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $100,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $1,125 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: This article would approve funding for Energy Efficiency Solutions and Energy Conservation projects that were identified in the Energy Audit performed on town owned buildings.

FINANCIAL STATEMENT

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 100,000 |
| Total | $ 28,684,265 |

Costs:

At an estimated interest rate of 3.25% for a two (2) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 100,000 |
| Interest | 3,375 |
| Total Debt Service | $ 103,375 |

Total estimated project costs including debt service: $103,375

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FORTY-FOUR:** Shall the Town (1) approve the purchase of a Two Ton Plow Truck for the Department of Public Works; and (2) appropriate a sum not to exceed $75,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $75,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $844 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: This article would approve funding for a Two Ton Plow Truck for the Department of Public Works.

FINANCIAL STATEMENT

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 75,000 |
| Total | $ 28,659,265 |

Costs:

At an estimated interest rate of 3.25% for a five (5) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 75,000 |
| Interest | 5,063 |
| Total Debt Service | $ 80,063 |

Total estimated project costs including debt service: $80,063

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FORTY-FIVE:** Shall the Town (1) approve the purchase of Computer Software Upgrades; and (2) appropriate a sum not to exceed $36,300 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $36,300 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $409 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: This article would approve funding for the upgrade of software and the addition of seat licenses for the latest available version of Microsoft Office software.

FINANCIAL STATEMENT

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 36,300 |
| Total | $ 28,620,565 |

Costs:

At an estimated interest rate of 3.25% for a three (3) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 36,300 |
| Interest | 1,634 |
| Total Debt Service | $ 37,934 |

Total estimated project costs including debt service: $37,934

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FORTY-SIX:** Shall the Town (1) approve the purchase of Phone System Upgrades; and (2) appropriate a sum not to exceed $19,800 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $19,800 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $223 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: This article would approve funding for the replacement of a landline telephone system for York Village Fire, York Beach Fire and the Department of Public Works.

FINANCIAL STATEMENT

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 19,800 |
| Total | $ 28,604,065 |

Costs:

At an estimated interest rate of 3.25% for a five (5) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 19,800 |
| Interest | 1,337 |
| Total Debt Service | $ 21,137 |

Total estimated project costs including debt service: $21,137

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FORTY-SEVEN:** Shall the Town (1) approve the funding for the placement of utility conduit during the reconstruction of the Sewall's Bridge Project; and (2) appropriate a sum not to exceed $75,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $75,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $844 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: This article would approve funding for the placement of an electrical and utility conduit under Sewall's Bridge during reconstruction in order to eliminate overhead wires.

FINANCIAL STATEMENT
Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 75,000 |
| Total | $ 28,659,265 |

Costs:
At an estimated interest rate of 3.25% for a ten (10) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 75,000 |
| Interest | 9,282 |
| Total Debt Service | $ 84,282 |

Total estimated project costs including debt service: $84,282

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FORTY-EIGHT:** Shall the Town (1) approve the construction of improvements at the York Street/Long Sands Road Intersection; and (2) appropriate a sum not to exceed $50,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $50,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $563 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: This article would approve funding for the construction of various improvements to the York Street/Long Sands Road Intersection.

FINANCIAL STATEMENT
Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 50,000 |
| Total | $ 28,634,265 |

Costs:
At an estimated interest rate of 3.25% for a two (2) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 50,000 |
| Interest | 1,688 |
| Total Debt Service | $ 51,688 |

Total estimated project costs including debt service: $51,688

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FORTY-NINE:** Shall the Town (1) approve the construction of improvements to Bog Road; and (2) appropriate a sum not to exceed $250,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $250,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the

Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $4,063 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: This article would approve funding for the reconstruction and paving of approximately 3500 feet of gravel roadway on Bog Road.

FINANCIAL STATEMENT

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 250,000 |
| Total | $ 28,834,265 |

Costs:

At an estimated interest rate of 3.25% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 250,000 |
| Interest | 85,311 |
| Total Debt Service | $ 335,311 |

Total estimated project costs including debt service: $335,311

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FIFTY:** Shall the Town (1) approve the purchase of a Heavy Plow Truck for the Department of Public Works; and (2) appropriate a sum not to exceed $142,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $142,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $1,598 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact:** This is a scheduled replacement of a 2002 International 4900 Heavy Duty Plow Truck/Dump Truck for the Public Works Department.

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $ 28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 142,000 |
| Total | $ 28,726,265 |

Costs:

At an estimated interest rate of 3.25% for a five (5) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $ 142,000 |
| Interest | 9,585 |
| Total Debt Service | $ 151,585 |

Total estimated project costs including debt service: $151,585

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FIFTY-ONE:** Shall the Town (1) approve the renovation and upgrade of the York High School building constructed in 1977; and (2) appropriate a sum not to exceed $1,216,000 for the cost of the Project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $1,216,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $19,760 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact:** This project will fund interior and exterior renovations, and, upgrades at York High School. Much of the core facility of the 35- year-old building is outdated and in need of upgrades and renovations. Proposed interior remodeling and upgrades include renovations to the boys' and girls' locker rooms, the Commons cafeteria, the kitchen, and twenty restrooms. Replacement flooring will be installed in hallways, classrooms and common areas. Exterior improvements include replacement of gym gable siding on the main entrance side, painting the siding, trim and eaves of the building, replacement of exterior post lighting and adding a new entryway to the 1977 building.

**FINANCIAL STATEMENT**

Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 1,216,000 |
| Total | $29,800,265 |

Costs:
At an estimated interest rate of 3.25% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $1,216,000 |
| Interest | 410,508 |
| Total Debt Service | $1,626,508 |

Total estimated project costs including debt service: $1,626,508

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
School Committee recommends approval (5-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FIFTY-TWO:** Shall the Town (1) approve the replacement of exterior siding and windows and repair of exterior trim and sills on Coastal Ridge Elementary School; and (2) appropriate a sum not to exceed $335,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $335,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $5,444 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact**: The original Coastal Ridge Elementary School exterior siding was installed during the 1991 construction project. The siding has failed in several areas and has exceeded its warranty period. The original windows are beyond their useful life. This project will include: replacement of siding with a cementitious siding; repair and replacement of subsurface sheathing as needed; installation of a high quality air barrier; repair of exterior trim and replacement of sections as needed; sanding and painting of exterior trim; replacement of windows with fiberglass, vinyl or composite low E windows including repair or replacement of interior gypsum board as needed; and sanding and repainting existing sills.

**FINANCIAL STATEMENT**
Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 335,000 |
| Total | $28,919.265 |

Costs:
At an estimated interest rate of 3.25% for a twenty (20) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $335,000 |
| Interest | 106,925 |
| Total Debt Service | $441,925 |

Total estimated project costs including debt service: $441,925

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
School Committee recommends approval (5-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FIFTY-THREE:** Shall the Town (1) approve repairs to the tennis courts at York High School; and (2) appropriate a sum not to exceed $125,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $125,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $1,407 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact:** This project replaces or repairs the five York High School tennis courts to ensure that they are usable by students and the community. Tennis courts located by the football field have become unplayable and are past their expected life. Planned repairs to courts include grinding asphalt for a new base; installation of new 6" gravel, fine grade; addressing drainage issues; paving courts and application of top coat and paint; removal and replacement of old fence and posts, and installation of a new fence. Tennis courts near the parking lot will be improved by repair of cracks, the application of a top seal and repainting of lines to ensure they continue to be usable.

**FINANCIAL STATEMENT**
Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 125,000 |
| Total | $28,709,265 |

Costs:
At an estimated interest rate of 3.25% for a ten (10) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $125,000 |
| Interest | 14,063 |
| Total Debt Service | $139,063 |

Total estimated project costs including debt service: $139,063

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
School Committee recommends approval (5-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FIFTY-FOUR:** Shall the Town (1) approve paving for multiple York School Department locations; and (2) appropriate a sum not to exceed $115,000 for the cost of this project; and (3) fund this appropriation; authorize the Treasurer and the Chairman of the Board of Selectmen to issue, at one time or from time to time, general obligation securities of the Town of York, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $115,000 with the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), places(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, to be delegated to the Treasurer and the Chairman of the Board of Selectmen? **This article appropriates $1,294 from taxation, which is the estimated first year cost of interest and cost of debt.**

**Statement of Fact:** This project funds paving at three School Department locations. A plan has been developed to keep our driveways, parking surfaces and sidewalks safe and in good overall condition. The areas identified as the most in need include repaving of the front drive, parking area and front walkways at York Middle School; a finish coat on the unfinished portion of west parking lot at York High School; and the finish coat on the parking lot and walkway under canopy at the Superintendent's Office.

**FINANCIAL STATEMENT**
Total Town Indebtedness:

| | |
|---|---|
| A. Bonds outstanding and unpaid | $28,584,265 |
| B. Bonds authorized and un-issued | 0 |
| C. Bonds to be issued if the Article is approved | 115,000 |
| Total | $28,699,265 |

Costs:
At an estimated interest rate of 3.25% for a ten (10) year maturity, the estimated cost of the bond issue will be:

| | |
|---|---|
| Principal | $115,000 |
| Interest | 13,050 |
| Total Debt Service | $128,050 |

Total estimated project costs including debt service: $128,050

Validity: The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

S/ Margaret M. McIntosh, Town Treasurer

Budget Committee recommends approval (7-0).
School Committee recommends approval (5-0).
Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FIFTY-FIVE:** Shall the Town raise and appropriate a sum not to exceed **$44,000 for Bond Financing Costs,** and furthermore, shall the Board of Selectmen adopt this line item of the Town Budget, as proposed by the Budget Committee?

**Statement of Fact:** The issuance of bonds carries with it legal and financial review costs of approximately $44,000. With multiple proposed bondable projects it is not feasible to spread this cost over the various articles given that approval of all articles is not guaranteed and there would not be sufficient funds to cover these costs. If the funds are not needed they would revert to the general fund balance.

Budget Committee recommends approval (7-0).
Board of Selectmen recommends approval ( ).

A **YES** vote authorizes an expenditure of **$44,000.**
A **NO** vote authorizes an appropriation of **$0.**

YES ___ NO ____

**FIFTY-SIX:** Shall the Town adopt the **Five (5) Year Capital Improvements Plan** as proposed by the Board of Selectmen?

**Statement of Fact**: The Town Charter requires the Board of Selectmen to adopt a Five Year Capital Improvements Plan. A Capital Improvements item is generally defined as something costing in excess of $10,000. Approval of this Article does not authorize any expenditure.

Board of Selectmen recommends approval ( ).

YES ___ NO ____

**FIFTY-SEVEN:** Shall the Town approve raising the **levy limit of the Town of York municipal budget** for the purpose of funding all of the preceding articles of the municipal budget approved by the voters hereunder?

**Statement of Fact**: The state law known as LD 1 requires an affirmative vote to allow a municipality to raise the property tax limit higher than allowed under LD 1. Under LD 1 the maximum property tax levy for the Town of York municipal budget is $10,346,730. If all articles contained herein concerning the municipal budget are approved, the amount appropriated will be $11,359,172.

Board of Selectmen recommends approval ( ).

A **YES** vote will allow the appropriation of all voter-approved articles.
A **NO** vote may result in an appropriation less than what has been approved.

YES ____ NO ____

**FIFTY-EIGHT:** Shall the Town vote to authorize the Board of Selectmen to dispose of a town owned structure located at 1051 US Route 1 along with any vacant land deemed necessary or essential to the disposition and to deposit any funds received from the disposition into the Town's fund balance?

**Statement of Fact:** In 2010 the Town purchased approximately 37 acres and an unfinished structure from Donald Blinn as part of the property to be used for a public safety facility and connector road. The Town has no use for the unfinished structure as it would not be cost effective to rehabilitate the structure for town use; therefore the Selectmen are requesting voter approval to dispose of the structure and any vacant land that would be required for any future use to be in compliance with the Town's Zoning Ordinances.

Board of Selectmen recommends approval ( ).

A **YES** vote authorizes the Board of Selectmen to dispose of the structure and any necessary land.

A **NO** vote does not authorize the Board of Selectmen to dispose of the structure or any necessary land.

YES_____ NO_____

**FIFTY-NINE:** Shall the Town approve (1) the installation of traffic signals at the intersection of York Street and Organug Road (2) the expenditure of funds to pay the costs thereof as part of the York Street reconstruction project previously approved by the voters in May 22, 2010 referendum vote?

Board of Selectmen recommends approval ( ).

A **YES** vote authorizes the installation of traffic signals at the intersection of York Street and Organug Road and authorizes the expenditure of funds to pay the costs for the traffic signals.

A **NO** vote does not authorize the installation of traffic signals or the funding for the traffic signals.

YES_____ NO_____

**********

Dated at York this ____ day of _____Two Thousand Twelve

**BOARD OF SELECTMEN**

_____

Tracy Jackson-McCarty, Chairman

_____

Mary Andrews, Vice Chairman

_____

Edward W. Little

_____

Kinley Gregg

_____

Scott Fiorentino

# NOTICE OF INTENT

# TO PROCESS ABSENTEE BALLOTS

## Title 21-A, Section 759

I certify that pursuant to State of Maine, Title 21-A, Section 759, absentee ballots will be processed commencing at **8:00 A.M.** at the Budget Referendum to be held at York High School Gymnasium on:

## DATE: MAY 19, 2012

Dated at York this_____ day of _____Two Thousand Twelve

_____
Tracy Jackson-McCarty, Chairman

_____
Mary Andrews, Vice Chairman

_____
Edward W. Little

_____
Kinley Gregg

_____
Scott Fiorentino

## BOARD OF SELECTMEN

# Officer's Return

**TOWN OF YORK**
**WARRANT**
**BUDGET REFERENDUM**
**(20-A M.R.S.A, Sections 1486 and 2307)**
**YORK, MAINE MAY 19th, 2012**

County of York, SS.

I certify that I have notified the voters of York of the above-referenced Budget Referendum by posting an attested copy of the within Warrant for same at:

York Town Hall, York, Maine

York Police Building, York Beach, Maine

York Harbor Post Office, York Harbor, Maine

York Beach Post Office, York Beach, Maine

York Village Post Office, York, Maine

Cape Neddick Post Office, Cape Neddick, Maine

a conspicuous public place within York on _____, 2012 which is at least seven days next prior to the Budget Referendum.

Dated at York this _____ day of _____ Two Thousand Twelve.

_____
Douglas P. Bracy
Constable

# TOWN OF YORK
# SPECIAL GENERAL REFERENDUM WARRANT
# ARTICLES TO BE ACTED UPON AT THE GENERAL REFERENDUM
# YORK, MAINE MAY 19, 2012

TO: Douglas Bracy, Constable of the Town of York, York, Maine

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of York, in said County, qualified by law to vote in Town affairs, to meet at the **York High School Robert E. Butler Gymnasium in said Town on Saturday, the 19th day of May, 2012,** between the hours of 8:00 in the forenoon and 8:00 o'clock in the afternoon, then and there to act on Articles 1 through 14, said Articles being set out below to wit:

**ONE:** Shall the municipality approve the **Charter** revision recommended by the Charter Commission?

YES ____ NO ____

**TWO:** The Town hereby ordains amendment of the **Public Road Acceptance Ordinance** to require a July first effective date for all road acceptance actions.

**Statement of Fact:** The purpose of this amendment is to ensure that road acceptance does not impose a financial burden on the Town which has not been considered during the prior fiscal year's budget process.

Board of Selectmen recommends approval ( )

YES ____ NO ____

**THREE:** The Town hereby ordains amendment of the **Emergency Management Ordinance** to alter the responsibilities of the Town's Emergency Management Director, Town Manager and Board of Selectmen, and to improve clarity of the code's language.

**Statement of Fact:** The purpose of this amendment is to improve consistency of language within the Ordinance, and to clarify the roles and responsibilities of parties involved in the Town's emergency response system.

Board of Selectmen recommends approval ( )

YES ____ NO ____

**FOUR:** The Town hereby ordains to adopt a new **Fireworks Ordinance**.

**Statement of Fact:** The purpose of this amendment is to prohibit the use and sale of consumer fireworks within the Town of York in order to protect public health and safety. A new State law makes certain smaller fireworks legal to possess, use and sell in Maine as of January 1, 2012, but permits communities to regulate or prohibit such use or sale.

Board of Selectmen recommends approval ( )

YES ____ NO ____

**FIVE:** The Town hereby ordains amendment of the **Beach Ordinance** to alter the requirements for fires on public beaches.

**Statement of Fact:** The purpose of this amendment is to address on-going concerns of the Town's emergency services departments with the standards which apply for fires on public beaches. This amendment would limit fires to Long Sands Beach. It also brings in new restrictions - limits the frequency of fires to not more than 1 every 30 days; requires that the event sponsor of the fire pay in advance for fire and police services; reinforces statutory limits on materials which can be burned; requires the event sponsor to acknowledge the safety limitations associated with hosting a public fire; and strengthens the insurance requirements. Further, the amendment clarifies that, in addition to a permit from the Selectmen, an Open Burning Permit from the Fire Chief is also required.

Board of Selectmen recommends approval ( )

YES ____ NO ____

**SIX:** The Town hereby ordains amendment of the **Animal Control Ordinance** and the **Noise Ordinance** to control domestic animal noise.

**Statement of Fact:** The purpose of this amendment is to consolidate two nearly identical standards regarding control of domestic animal noise into one standard in the Animal Control Ordinance. This amendment was requested by the Animal Control Officer in order to establish a single standard with a single enforcement procedure.

Board of Selectmen recommends approval ( )

YES ____ NO ____

**SEVEN:** The Town hereby ordains amendment of the **Floodplain Management Ordinance** to accommodate bait houses for commercial fishermen.

**Statement of Fact:** The purpose of this amendment is to remove a size limit which makes impractical new bait houses for commercial fishermen in York Harbor. This amendment is consistent with Comprehensive Plan Goal #7.3 – to provide opportunities for the existing commercial fishing industry to flourish in York. It is not expected to have a significant impact on the cost of Town administration.

Harbor Board recommends approval (7-0)
Planning Board recommends approval ( )
Board of Selectmen recommends approval ( )

YES ____ NO ____

**EIGHT (option A):** The Town hereby ordains amendment of the **Zoning Ordinance** to alter the standards for outside storage and outside display of retail goods in the Route One zones.

**Statement of Fact:** The purpose of this amendment is to more clearly distinguish between outside storage and outside retail display, and to simplify the standards for each in the Route One corridor. This amendment is expressly consistent with Comprehensive Plan policy #3.3.1, which calls for the Town to modify its outside display standards to help support an eclectic mix of small local businesses. It is not expected to have a significant impact on the cost of Town administration.

Planning Board recommends approval ( )
Board of Selectmen recommends approval ( )

YES ____ NO ____

**EIGHT (option B):** The Town hereby ordains amendment of the **Zoning Ordinance** to alter the standards for outside storage and outside display of retail goods in the Route One zones.

**Statement of Fact:** The purpose of this amendment is to more clearly distinguish between outside storage and outside retail display, and to simplify the standards for each in the Route One corridor. More extensive outside display area will be allowed, but the standards will sunset in 2015 to ensure the Town has the opportunity to refine and adjust this policy as necessary without causing long-term adverse impacts. This amendment is expressly consistent with Comprehensive Plan policy #3.3.1, which calls for the Town to modify its outside display standards to help support an eclectic mix of small local businesses. It is not expected to have a significant impact on the cost of Town administration.

Planning Board recommends approval ( )
Board of Selectmen recommends approval ( )

YES ____ NO ____

**NINE:** The Town hereby ordains amendment of the **Zoning Ordinance** to alter the parking standards in the York Beach Village Center base zone, specifically amending Article 15, Parking.

**Statement of Fact:** The purpose of this amendment is to reduce the Town's parking standards in the York Beach village area, thereby making the standards more appropriate to the pedestrian nature of the area. This amendment is consistent with the Comprehensive Plan future land use recommendation #2 for modification of parking performance standards in this village area. It is not expected to have a significant impact on the cost of Town administration.

Planning Board recommends approval ( )
Board of Selectmen recommends approval ( )

YES ____ NO ____

**TEN:** The Town hereby ordains amendment of the **Zoning Ordinance** to reduce setbacks for small outbuildings within the Growth Area, to exempt certain pergolas from standard lot setback requirements Town-wide, and to establish corner clearances for fences at intersections, specifically amending Article 2, Definitions, and Article 5, Dimensional Regulations.

**Statement of Fact:** The purpose of this amendment is threefold. First, within the Growth Area designated in the Comprehensive Plan, the amendment allows up to one small outbuilding closer to lot boundaries than would be allowed for homes and bigger buildings. This is to help improve design options within the Growth Area, where development density is generally higher than in the remainder of Town. Second, this amendment exempts pergolas under 8' in height from the standard lot setback requirements Town-wide. These structures are similar to fences and with this amendment will be regulated in the same manner. Third, a new standard is established to ensure that new fences near road intersections will not block the sight distance of drivers and pedestrians. This amendment is generally consistent with the Comprehensive Plan and is not expected to have any fiscal impact to Town administration.

Planning Board recommends approval ( )
Board of Selectmen recommends approval ( )

YES ____ NO ____

**ELEVEN:** The Town hereby ordains amendment of the **Zoning Ordinance** to expand the types of uses which are allowed as small-scale home occupations, specifically amending Article 7, Special Use Provisions.

**Statement of Fact:** The purpose of this amendment is to allow most types of home occupations throughout the Town. Controls are already in place to limit the size and potential impacts associated with home occupations. This amendment is expressly consistent with the Comprehensive Plan's Town Goal 3.3 – to create conditions conducive to small-scale, local business start-up, success and growth. It is not expected to have any fiscal impact to Town administration.

Planning Board recommends approval ( )
Board of Selectmen recommends approval ( )

YES ____ NO ____

**TWELVE:** The Town hereby ordains amendment of the **Zoning Ordinance** to refine the definitions and standards for all residential uses, including modular housing and manufactured housing, specifically amending: Article 2, Definitions; Article 3, Establishment of Zoning Districts; Article 4, Schedule of Use Regulations; Article 6, Supplemental Use Requirements; Article 7, Special Provisions; Article 8, Shoreland Overlay District; Article 10, Watershed Protection Overlay District; Article 10-A, Elderly Congregate Housing Overlay District; Article 13, Manufactured Housing and Mobile Home Parks; Article 18, Administration; and Article 21, Severability and Conflict with Other Ordinances.

**Statement of Fact:** The purpose of this amendment is to establish a standardized list of the principal residential uses addressed by the Zoning Ordinance. This builds on an amendment passed in November 2011 to improve the format of the use tables. A definition is provided for each principal residential use, and the lists of residential uses in all base zoning districts and in the Shoreland Overlay District are amended to ensure consistency in use of terms. Elderly congregate housing is converted from an overlay district to a principal use regulated zone by zone. Policies about modular homes and manufactured housing, which are types of residential construction, are also included in this amendment. This amendment is consistent with the Comprehensive Plan, specifically with Policy #2.5.5 which calls for making the Town's land use codes more user-friendly, and with Policy #4.2.9 which calls for changes to bring the Town's modular housing and manufactured housing policies into conformity with State law. It is not expected to have a significant impact on the cost of Town administration.

Planning Board recommends approval ( )
Board of Selectmen recommends approval ( )

YES ____ NO ____

**THIRTEEN:** To see if the Town, pursuant to 23 MRSA Sec. 3025, will vote to accept fee simple title to a road known as **Heron Drive** and described as shown on a plan entitled "As built Plan, Heron Drive, Whippoorwill Subdivision, York, Maine" and dated August 2, 2011 and revised February 24, 2012.

**Statement of Fact:** The Department of Public Works has inspected Heron Drive and has determined that the street meets the Town's Public Road Acceptance Ordinance. The Department recommends formal acceptance of Heron Drive as a public way.

Board of Selectmen recommends approval ( )

YES ____ NO ____

**FOURTEEN:** Shall the Town vote to adopt a resolution, pursuant to 30-A M.R.S. §§ 4721(1)(A) and 4721(3)(B), affirming that the need for the **York Housing Authority** continues to exist given the shortage of safe and sanitary dwelling accommodations in the Town of York available to persons of low income at rentals or prices that they can afford?

**Statement of Fact:** At a town meeting held on November 21, 1978, the Town approved the establishment of the York Housing Authority, pursuant to its authority under Title 30 M.R.S. § 4601, finding that there was a shortage of safe and sanitary dwelling accommodations in the Town available to persons of low income at rentals or prices they could afford. Title 30 M.R.S. § 4601 was subsequently repealed and replaced in 1987 with a similar provision located in Title 30-A. The relevant provision in Title 30-A specifies that any housing authority created under its predecessor Title 30 continues to exist, as long as the town's legislative body declares by resolution that the need for that housing authority continues. This requirement was overlooked by the Town until recently. The enactment of this resolution affirms that since the York Housing Authority's establishment in 1978 and its continual operation thereafter, the need for it continued to exist and still exists to date.

A **YES** vote will result in a declaration by resolution that **there is** a continued need for the York Housing Authority to provide low income housing in the Town of York.

A **NO** vote will mean **there is not** a continued need for continuation of the York Housing Authority.

Board of Selectmen recommends approval ( )

YES ____ NO ____

**********

Dated at York this ___day of _____
Two Thousand Twelve

**BOARD OF SELECTMEN**

_____
Tracy Jackson-McCarty, Chairman

_____
Mary Andrews, Vice Chairman

_____
Edward W. Little

_____
Scott Fiorentino

_____
Kinley Gregg

# NOTICE OF INTENT

# TO PROCESS ABSENTEE BALLOTS

## Title 21-A, Section 759

I certify that pursuant to State of Maine, Title 21-A, Section 759, absentee ballots will be processed commencing at **8:00 A.M.** at the Special General Referendum to be held at York High School Gymnasium on:

## DATE: MAY 19, 2012

Dated at York this ____ day of _____ Two Thousand Eleven

_____
Tracy Jackson-McCarty, Chairman

_____
Mary Andrews, Vice-Chairman

_____
Edward W. Little

_____
Scott Fiorentino

_____
Kinley Gregg

BOARD OF SELECTMEN

# Officer's Return

**TOWN OF YORK**
**WARRANT**
**SPECIAL GENERAL REFERENDUM**
**(20-A M.R.S.A, Sections 1486 and 2307)**
**YORK, MAINE MAY 19th, 2012**

County of York, SS.

I certify that I have notified the voters of York of the above-referenced Special General Referendum by posting an attested copy of the within Warrant for same at:

York Town Hall, York, Maine

York Police Building, York Beach, Maine

York Harbor Post Office, York Harbor, Maine

York Beach Post Office, York Beach, Maine

York Village Post Office, York, Maine

Cape Neddick Post Office, Cape Neddick, Maine

a conspicuous public place within York on _____, 2012 which is at least seven days next prior to the Special General Referendum.

Dated at York this _____ day of _____ Two Thousand Twelve.

_____
Douglas P. Bracy
Constable

**TOWN OF YORK**
**WARRANT**
**SCHOOL BUDGET VALIDATION REFERENDUM**
**(20-A M.R.S.A § § 1486 and 2307)**
**YORK, MAINE MAY 19th 2012**

**Warrant Article to be voted on the Referendum Ballot May 19, 2012**

**Validation Referendum**

**ONE:** Do you favor approving the York School budget for the upcoming school year that was adopted at the latest school budget meeting? M.R.S.A. 20-A Sec. 1486(3) (F)

Board of Selectmen recommends approval ( )

YES ____ NO____

**********

Dated at York this ____ day of _____
Two Thousand Twelve

**BOARD OF SELECTMEN**

_____
Tracy Jackson-McCarty, Chairman

_____
Mary Andrews, Vice Chairman

_____
Edward W. Little

_____
Kinley Gregg

_____
Scott Fiorentino

# NOTICE OF INTENT

# TO PROCESS ABSENTEE BALLOTS

## Title 21-A, Section 759

I certify that pursuant to State of Maine, Title 21-A, Section 759, absentee ballots will be processed commencing at **8:00 A.M.** at the School Budget Validation Referendum to be held at York High School Robert E. Butler Gymnasium on:

## DATE: MAY 19, 2012

Dated at York this ____ day of _____ Two Thousand Twelve

_____
Tracy Jackson-McCarty, Chairman

_____
Mary Andrews, Vice-Chairman

_____
Edward W. Little

_____
Kinley Gregg

_____
Scott Fiorentino

BOARD OF SELECTMEN

## Officer's Return

**TOWN OF YORK**
**WARRANT**
**SCHOOL BUDGET VALIDATION REFERENDUM**
**(20-A M.R.S.A, Sections 1486 and 2307)**
**YORK, MAINE MAY 19th, 2012**

County of York, SS.

I certify that I have notified the voters of York of the above-referenced School Budget Validation Referendum by posting an attested copy of the within Warrant for same at:

York Town Hall, York, Maine

York Police Building, York Beach, Maine

York Harbor Post Office, York Harbor, Maine

York Beach Post Office, York Beach, Maine

York Village Post Office, York, Maine

Cape Neddick Post Office, Cape Neddick, Maine

a conspicuous public place within York on _____, 2012 which is at least seven days next prior to the School Budget Validation Referendum.

Dated at York this _____ day of _____ Two Thousand Twelve.

_____
Douglas P. Bracy
Constable

AGENDA ITEM NUMBER: ____

# REQUEST FOR ACTION BY BOARD OF SELECTMEN

| | |
|---|---|
| **Date Submitted:** March 16, 2012 | **Type of Action:** |
| **Date Action Requested:** Next regular meeting | ☐ **Procedural** ☒ **Formal Action** |
| **Regular** X **Work Session** ___ | ☐ **Other:** _____ |
| **Subject: Appointment of Election Clerks** | |

**TO:** Board Of Selectmen

**FROM:** Mary-Anne Szeniawski, Town Clerk/Tax Collector

**RECOMMENDATION:** N/A

**PROPOSED MOTION: A motion to appoint duly nominated Election Clerks, pursuant to Title 21-A §503 as listed on the attachment herewith.**

**Discussion:**

**FISCAL IMPACT:** N/A

**DEPARTMENT LINE ITEM ACCOUNT: N/A**

**BALANCE IN LINE ITEM IF APPROVED: N/A**

Prepared By: Mary-Anne Szeniawski_____mji_____Reviewed By: Robert S. Yandow

| REPUBLICANS | DEMOCRATS |
| --- | --- |
| ALDRICH, MAUD | ANTAL, SUSAN |
| BAKKE, LLOYD | BAKKE, DONNA |
| BURNHAM, ELAINE | BORDELEAU, KATHLEEN |
| CABLE, MARK | DONIS, ARTEMIS |
| CARNICELLI, PAMELA | DORAN, VALERIE |
| GOODRICH, STACIE | FREY, PATRICIA |
| GORMAN, JACKIE | GLICK, SUSAN |
| GRANT, ROSEMARIE | GRAY, ANA |
| HEFTER, BARBARA | LOVETT, LILLIAN |
| MCINTIRE, WAYNE | MACWILLIAMS, SUSAN |
| MOULTON, KAREN | MCALLISTER, JUDITH |
| OBERG, DEBORAH | MODERN, MICHAEL |
| PORTER, JEANNE MARIE | NEWICK, SARAH |
| ROHRER, NANCY | NEWMAN, PHYLLIS |
| | SEEDNER, JUDITH |
| | STEEDMAN, JULIANE |
| | STOWE, JOYCE |
| | STOWE, LEWIS |

**AGENDA ITEM NUMBER:** ____

# REQUEST FOR ACTION BY BOARD OF SELECTMEN

| | |
|---|---|
| **Date Submitted:** March 22, 2012 | **Type of Action:** |
| **Date Action Requested:** March 26, 2012 | ☐ **Procedural** ☒ **Formal Action** |
| **Regular** _X_ **Work Session** _____ | ☐ **Other:** _____ |

**Subject:** Special Event Permit Application: Aggieman Triathlon – June 30, 2012

**TO:** BOARD OF SELECTMEN

**FROM:** Susan H. Scott

**RECOMMENDATION:** Approve Permit Application

**PROPOSED MOTION:** I move to approve the Special Event Permit for the Aggieman Triathlon to be held on Saturday, June 30, 2012 from approximately 8:00 AM to 1:00 PM.

**Discussion:** The Board of Selectmen first reviewed this permit request at their March 12, 2012 meeting during which it was requested that the event organizers provide the Selectmen a response to department head request for all bicycle riders to wear bright color clothing with flags attached to individual bicycles. In response to Selectmen request, please find attached (behind the first two pages of the application) the email response from Ed Harvey, Race Director, dated March 20, 2012 for Board consideration.

**FISCAL IMPACT:**

**DEPARTMENT LINE ITEM ACCOUNT:**

**BALANCE IN LINE ITEM IF APPROVED:**

Prepared By: Susan H. Scott Reviewed By: Robert B. Yandow

3/14/12 - Contacted by Phone and email
Ernest Wiswell

# Town of York, Maine
# Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 2-21-12

Name of Event: Aggieman Triathalon

Type of Event: Road Race

Organization Name: Second Christian Church Phone #: 439-3903

Organization Address: 33 Government St City Kittery State: ME Zip: 03904

Applicant Name: Ernest Wiswell Phone #: (207) 475-8468

Applicant Address: 18 Adams Rd. City: Kittery State: ME Zip: 03904

Contact Name for Day of Event: Ernest Wiswell Contact Phone #: (207) 475-8468

Date of Event: June 30, 2012 Day of Week: Saturday

Starting Time: 8:00 AM Ending Time: 1:00 PM

Assembly Area: Eliot Boat Basin Eliot Me

Dispersal Area: Mt. Agamenticus (Summit)

Event Route: Eliot, South Berwick into York on Berwick Rd., N. Village Rd., Clay Hill Rd., Mountain Rd. Transition Summit Rd. to foot race ending at Summit.

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)
400

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

100 Bicyclists plus support vehicles

Describe how group is organized and supervised to insure order: Race Director Ed Harvey (781) 789-1034
Flaggers, Parking Attendents, Course Sweepers and clean up Crew

Purpose of the Event: Charitable Fund Raiser

The above information is true to the best of my knowledge and belief.

Signature of Applicant: E. M. Wiswell

**For Town Use Only:**

Reviewed by:

Emailed: 2/23/12

| **Department** | **Initials** | |
|---|---|---|
| Police Department | ✓ | 3/05 |
| Public Works | ✓ | 2/23 |
| Parks/Recreation | ✓ | 2/27 |
| Village Fire | ✓ | 2/23 |
| York Beach Fire | ✓ | 2/26 |
| Code Enforcement | ✓ | 2/23 |

Special Conditions

1) Riders to wear bright clothing with flags attached to the bikes.

Town Manager

Date

## Susan Scott

**From:** Harvey, Edmund [Edmund.Harvey@usnh.edu]
**Sent:** Tuesday, March 20, 2012 3:00 PM
**To:** Susan Scott
**Cc:** 'ewiswell@comcast.net'
**Subject:** RE: Aggieman Triathlon - Special Event Permit

To York Board of Selectman:

This email is in response to concerns raised about a York Special Event Permit application for the 7th Annual Aggieman Triathlon. Let me start by thanking the town of York for hosting this event the last six years. Our participants value the opportunity to bike through York before running to one of the best finishing sites in racing atop Mt. A.

Concerns regarding biking safety have been raised. Specifically we have been asked to have riders wear bright clothing and to attach flags to every bike. The bright clothing request is simple enough. Most participants in the past have always worn bright clothing in addition to having bright helmets. We issue a specific request for bright clothing to our riders before the race.

Attaching flags to the bikes is another issue though. Most of the bikes used are lightweight road bikes with no specifically installed means of attaching a flag. My concern is that the flags could potentially create a safety hazard if any were to come undone. Whether the flags end up in the rider's spokes or on the road in front of other riders, injuries could follow.

As we have done in the past, we will station Road Marshalls at all major intersections and in direct response to the Boards concerns will be increasing our signage along the route to notify motorists in both directions of RACE IN PROGRESS.

Thank you again for your consideration and continued support over the years. We look forward to another successful year.

Ed Harvey, Race Director
www.aggieman.org

---

**From:** Ernest Wiswell [mailto:ewiswell@comcast.net]
**Sent:** Wednesday, March 14, 2012 1:52 PM
**To:** Harvey, Edmund
**Cc:** 'Brad'; 'Tom Baran'; 'Donnell, Charles'
**Subject:** FW: Aggieman Triathlon - Special Event Permit

Hi Ed
I just received this from the Town of York.
I am not sure how we should reply?

*Ernie*

---

**From:** Susan Scott [mailto:sscott@yorkmaine.org]
**Sent:** Wednesday, March 14, 2012 12:00 PM
**To:** ewiswell@comcast.net
**Subject:** Aggieman Triathlon - Special Event Permit

Hello,

As noted in our telephone conversation, the Board of Selectmen would like the following information prior to approving your permit request at their March 26, 2012 meeting:

- Whether or not the Condition of Approval recommended by the Beach Fire Chief that ***"all the riders should have bright clothing and flags attached to their bikes..."*** would be reasonable per the event organizers. (I've attached the Fire Chief's email)

If you could provide me a written response/email as to your thoughts on this possible condition by Wednesday, March 21st I'd greatly appreciate it.

Please feel free to contact me at anytime if you have any questions.

Thank you, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

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No virus found in this message.
Checked by AVG - www.avg.com
Version: 2012.0.1913 / Virus Database: 2114/4870 - Release Date: 03/14/12

## Susan Scott

**From:** David K. Bridges
**Sent:** Sunday, February 26, 2012 3:15 PM
**To:** Susan Scott; Christopher Balentine; Charles J. Szeniawski; David Apgar; Dean Lessard; Kevin M. LeConte; Michael J. Sullivan; Stephen H. Burns
**Cc:** David K. Bridges
**Subject:** RE: Aggieman Triatholon 6-30-12

Condition

The roads being used for this ride are some of the narrowest roads in town. I think all the riders should have bright clothing and flags attached to their bikes to give motorists the ability to see them on those marrow winding roads. Other than that I have no other concerns. Dave

---

**From:** Susan Scott
**Sent:** Thursday, February 23, 2012 9:30 AM
**To:** Christopher Balentine; Charles J. Szeniawski; David K. Bridges; David Apgar; Dean Lessard; Kevin M. LeConte; Michael J. Sullivan; Stephen H. Burns
**Subject:** Aggieman Triatholon 6-30-12

Hello All,

Please find the attached information for your review/approval.

Thank you, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
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## Susan Scott

**From:** Dean Lessard
**Sent:** Thursday, February 23, 2012 10:38 AM
**To:** Susan Scott
**Subject:** Re: Aggieman Triatholon 6-30-12

Susie
No concerns from public works.

Dean

On Feb 23, 2012, at 9:29 AM, "Susan Scott" <sscott@yorkmaine.org> wrote:

Hello All,

Please find the attached information for your review/approval.

Thank you, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

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<Aggieman Tri 6-30-12.pdf>

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## Susan Scott

**From:** Stephen H. Burns
**Sent:** Thursday, February 23, 2012 10:41 AM
**To:** Susan Scott
**Subject:** RE: Aggieman Triatholon 6-30-12

Susie,

No code issues for this event.

Thanks.

Steve

Stephen H. Burns
Community Development Director
Town of York, Maine
186 York Street, York, ME 03909
e: sburns@yorkmaine.org
p: (207) 363-1007

---

**From:** Susan Scott
**Sent:** Thursday, February 23, 2012 9:30 AM
**To:** Christopher Balentine; Charles J. Szeniawski; David K. Bridges; David Apgar; Dean Lessard; Kevin M. LeConte; Michael J. Sullivan; Stephen H. Burns
**Subject:** Aggieman Triatholon 6-30-12

Hello All,

Please find the attached information for your review/approval.

Thank you, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

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## Susan Scott

**From:** David Apgar
**Sent:** Thursday, February 23, 2012 11:42 AM
**To:** Susan Scott
**Subject:** RE: Aggieman Triatholon 6-30-12

village fire approval.

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

---

From: Susan Scott
Sent: Thursday, February 23, 2012 9:29 AM
To: Christopher Balentine; Charles J. Szeniawski; David K. Bridges; David Apgar; Dean Lessard; Kevin M. LeConte; Michael J. Sullivan; Stephen H. Burns
Subject: Aggieman Triatholon 6-30-12

Hello All,

Please find the attached information for your review/approval.

Thank you, Susie.

Susan Scott
Administrative Assistant to the Town Manager Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org<mailto:sscott@yorkmaine.org>
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

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## Susan Scott

**From:** Michael J. Sullivan
**Sent:** Monday, February 27, 2012 9:31 AM
**To:** David K. Bridges; Susan Scott; Christopher Balentine; Charles J. Szeniawski; David Apgar; Dean Lessard; Kevin M. LeConte; Stephen H. Burns
**Subject:** RE: Aggieman Triatholon 6-30-12

Parks and Recreation is ok with this event.


***Michael J. Sullivan, Director***
***Parks and Recreation***

***Town of York, Maine***
***186 York Street***
***York, Maine 03909***
***(207) 363-1040***
***msullivan@yorkmaine.org***


---

**From:** David K. Bridges
**Sent:** Sunday, February 26, 2012 3:15 PM
**To:** Susan Scott; Christopher Balentine; Charles J. Szeniawski; David Apgar; Dean Lessard; Kevin M. LeConte; Michael J. Sullivan; Stephen H. Burns
**Cc:** David K. Bridges
**Subject:** RE: Aggieman Triatholon 6-30-12

The roads being used for this ride are some of the narrowest roads in town. I think all the riders should have bright clothing and flags attached to their bikes to give motorists the ability to see them on those marrow winding roads. Other than that I have no other concerns. Dave

---

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**Subject:** Aggieman Triatholon 6-30-12

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Please find the attached information for your review/approval.

Thank you, Susie.


*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
p: (207) 363-1000, Ext. 222
f: (207) 363-1019

## Susan Scott

**From:** Kevin M. LeConte
**Sent:** Monday, March 05, 2012 8:29 AM
**To:** Susan Scott; Christopher Balentine; Charles J. Szeniawski; David K. Bridges; David Apgar; Dean Lessard; Michael J. Sullivan; Stephen H. Burns
**Subject:** RE: Aggieman Triatholon 6-30-12

Susan
The police are all set with this event.

**Kevin M. LeConte**
*Captain*
Town of York, ME Police Department
36 Main Street, York, ME 03909-6244
i: www.yorkpolice.org
e: kleconte@yorkpolice.org
p: (207) 363-1031, Ext. 102
f: (207) 363-1033

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**Subject:** Aggieman Triatholon 6-30-12

Hello All,

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Thank you, Susie.

*Susan Scott*
*Administrative Assistant to the Town Manager*
Town of York, Maine
186 York Street, York, Maine 03909-1314
i: www.yorkmaine.org
e: sscott@yorkmaine.org
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**For Town Use Only:**

Reviewed by:

| **Department** | **Initials** |
|---|---|
| Police Department | _____ |
| Public Works | _____ |
| Parks/Recreation | _____ |
| Village Fire | _____ |
| York Beach Fire | _____ |
| Code Enforcement | _____ |

Special Conditions_____

_____

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_____

_____

_____

_____

_____

_____ _____

Town Manager Date